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HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS QUESTIONS, INCLUDING ALTERNATIVE APPROACHES FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

Report of the Third Committee (Part III)*

Rapporteur: Mrs. Mónica MARTÍNEZ (Ecuador)

I. INTRODUCTION

1. At its 4th plenary meeting, on 19 September 1997, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its fifty-second session the item entitled "Human rights questions: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms" and to allocate it to the Third Committee.

2. The Third Committee considered the item jointly with sub-items 112 (c), (d) and (e) at its 33rd to 43rd meetings, from 12 to 14 and from 17 to 19 November 1997, and took up proposals relating to sub-item (b) at its 44th to 50th meetings, on 20 and 21 and from 24 to 26 November. An account of the Committee's discussion is contained in the relevant summary records (A/C.3/52/SR.33-50).

3. For the documents before the Committee under this item, see A/52/644.

* The report of the Committee on agenda item 112 will be issued in six parts, under the symbol A/52/644 and Add.1-5.

II. CONSIDERATION OF PROPOSALS

A. Draft resolution A/C.3/52/L.44

4. At the 44th meeting, on 20 November, the representative of Cuba, on behalf of Burundi, China, Cuba, the Democratic People's Republic of Korea, the Islamic Republic of Iran, Iraq, the Lao People's Democratic Republic, the Libyan Arab Jamahiriya, Mali, Myanmar, Namibia, Nigeria, the Sudan, the Syrian Arab Republic, the United Republic of Tanzania and Viet Nam, subsequently joined by Cameroon, Equatorial Guinea and the Niger, introduced a draft resolution entitled "Respect for the principles of national sovereignty and non-interference in the internal affairs of States in their electoral processes" (A/C.3/52/L.44), and orally revised it by deleting operative paragraph 6, which had read:

> "6. Recognizes that the form of democracy must emerge from each people, as suited to the nation's history, size, cultural diversity and value systems, and that political systems need to be understood by the peoples they serve".

5. At its 45th meeting, on 21 November, the Committee adopted draft resolution A/C.3/52/L.44 by a recorded vote of 78 to 56, with 11 abstentions (see para. 62, draft resolution I). The voting was as follows:

In favour: Algeria, Angola, Antigua and Barbuda, Bahamas, Bahrain, Barbados, Bhutan, Botswana, Brazil, Brunei Darussalam, Burkina Faso, China, Colombia, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Dominican Republic, Egypt, Ghana, Guinea, Guinea-Bissau, Guyana, Honduras, India, Indonesia, Iran (Islamic Republic of), Jamaica, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Malawi, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Saint Lucia, Saint Vincent and the Grenadines, Singapore, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Albania, Andorra, Argentina, Armenia, Australia, Austria, Azerbaijan, Belarus, Belgium, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Micronesia (Federated States of), Monaco, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Samoa, San Marino, Slovakia, Slovenia, Solomon Islands, Spain, Sweden, the former Yugoslav Republic of

Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Afghanistan, Benin, Bolivia, Chile, Ecuador, Ethiopia, Gabon, Kazakhstan, Kyrgyzstan, Nicaragua, Saudi Arabia.

6. Before the adoption of the draft resolution, the representative of Luxembourg made a statement on behalf of the States Members of the United Nations that are members of the European Union and Lithuania; after it was adopted, statements were made by the representatives of Costa Rica and Iraq (see A/C.3/52/SR.45).

B. Draft resolution A/C.3/52/L.46

7. At the 44th meeting, on 20 November, the representative of the Islamic Republic of Iran, on behalf of Afghanistan, China, Cuba, the Democratic People's Republic of Korea, the Islamic Republic of Iran, Iraq, the Libyan Arab Jamahiriya, Myanmar, the Sudan and the Syrian Arab Republic, introduced a draft resolution entitled "Human rights and unilateral coercive measures" (A/C.3/52/L.46).

8. At its 45th meeting, on 21 November, the Committee adopted draft resolution A/C.3/52/L.46, by a recorded vote of 74 to 46, with 26 abstentions (see para. 62, draft resolution II). The voting was as follows:

In favour: Afghanistan, Algeria, Angola, Bahamas, Benin, Bhutan, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Ecuador, El Salvador, Eritrea, Ethiopia, Guinea, Guinea-Bissau, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Jamaica, Kenya, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Malaysia, Mexico, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Samoa, Singapore, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Albania, Andorra, Australia, Austria, Belgium, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Marshall Islands, Micronesia (Federated States of), Monaco, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Slovakia, Slovenia, Spain, Sweden, the former Yugoslav Republic of Macedonia, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Antigua and Barbuda, Argentina, Armenia, Barbados, Belarus, Belize, Bolivia, Cameroon, Dominican Republic, Gabon, Georgia, Honduras, Jordan, Kazakhstan, Kyrgyzstan, Malawi, Malta, Mauritania, Mongolia, Saint Lucia, Saint Vincent and the Grenadines, Senegal, Solomon Islands, Trinidad and Tobago, Turkmenistan, Ukraine.

9. After the adoption of the draft resolution, the representative of Iraq made a statement (see A/C.3/52/SR.45).

C. Draft resolution A/C.3/52/L.47

10. At the 44th meeting, on 20 November, the representative of Cuba introduced a draft resolution entitled "Respect for the right to universal freedom of travel and the vital importance of family reunification" (A/C.3/52/L.47).

11. At the 45th meeting, on 21 November, the representative of Cuba orally revised operative paragraph 4 of the draft resolution by deleting the words "individuals or groups of" before the words "legal migrants".

12. At the same meeting, the Committee adopted draft resolution A/C.3/52/L.47, as orally revised, by a recorded vote of 75 to 1, with 76 abstentions (see para. 62, draft resolution III). The voting was as follows:

In favour: Algeria, Armenia, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cameroon, Cape Verde, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Gabon, Ghana, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Mauritania, Mexico, Morocco, Mozambique, Myanmar, Namibia, Nepal, Niger, Nigeria, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Qatar, Saudi Arabia, Senegal, Sudan, Suriname, Swaziland, Syrian Arab Republic, Togo, Tunisia, Turkey, Uganda, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: United States of America.

Abstaining: Albania, Andorra, Antigua and Barbuda, Argentina, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Barbados, Belarus, Belgium, Belize, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Ethiopia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Kazakhstan, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Micronesia (Federated States of), Monaco, Mongolia, Netherlands, New Zealand, Nicaragua, Norway,

Panama, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sweden, Thailand, the former Yugoslav Republic of Macedonia, Trinidad and Tobago, Turkmenistan, Ukraine, United Kingdom of Great Britain and Northern Ireland.

13. After the adoption of the draft resolution, statements were made by the representatives of Mexico and Chile (see A/C.3/52/SR.45).

D. Draft resolution A/C.3/52/L.48

14. At the 44th meeting, on 20 November, the representative of Ireland, on behalf of Andorra, Argentina, Armenia, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Côte d'Ivoire, Cyprus, the Czech Republic, Denmark, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Luxembourg, Malta, Mauritius, Monaco, the Netherlands, New Zealand, Norway, Portugal, the Republic of Moldova, Romania, San Marino, Slovenia, Spain, Sweden, the former Yugoslav Republic of Macedonia, the United Kingdom of Great Britain and Northern Ireland and Venezuela, introduced a draft resolution entitled "Elimination of all forms of religious intolerance" (A/C.3/52/L.48). Cameroon, Costa Rica, Croatia, El Salvador, Guatemala, Haiti, India, Israel, Mali, Nicaragua, Poland, Slovakia, South Africa, Suriname and the United States of America joined in sponsoring the draft resolution.

15. At its 45th meeting, on 21 November, the Committee adopted draft resolution A/C.3/52/L.48 without a vote (see para. 62, draft resolution IV).

E. Draft resolution A/C.3/52/L.51

16. At the 44th m ting, on 20 November, the representative of Austria, on behalf of Afghanis n, Argentina, Armenia, Australia, Austria, Belarus, Bosnia and Herzegovina, Bulgaria, Canada, Chile, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, the Czech Republic, Denmark, Ethiopia, Fiji, Finland, Georgia, Greece, Guatemala, Hungary, Iceland, Israel, Italy, Latvia, Liechtenstein, Lithuania, Malta, Monaco, Norway, Panama, the Philippines, Portugal, the Republic of Korea, Romania, San Marino, Slovakia, Slovenia, the Sudan, Sweden, the former Yugoslav Republic of Macedonia, Ukraine and the United Kingdom of Great Britain and Northern Ireland, introduced a draft resolution entitled "Effective promotion of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities" (A/C.3/52/L.51). Subsequently, Bangladesh, El Salvador, India, Nicaragua, Poland and the Russian Federation joined in sponsoring the draft resolution.

17. In introducing the draft resolution, the representative of Austria orally revised operative paragraph 14 by deleting the words "and continue to hold one session annually" after the words "implement its mandate".

18. At its 45th meeting, on 21 November, the Committee adopted draft resolution A/C.3/52/L.51, as orally revised, without a vote (see para. 62, draft resolution V).

F. Draft resolution A/C.3/52/L.52

19. At the 44th meeting, on 20 November, the representative of Austria, on behalf of Afghanistan, Angola, Argentina, Armenia, Australia, Austria, Belarus, Belgium, Bosnia and Herzegovina, Brazil, Bulgaria, Canada, Costa Rica, Côte d'Ivoire, Cyprus, the Czech Republic, Denmark, Ecuador, Finland, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, New Zealand, Norway, Paraguay, the Philippines, Portugal, the Republic of Moldova, Romania, San Marino, Slovakia, Slovenia, Spain and Sweden, introduced a draft resolution entitled "Human rights in the administration of justice" (A/C.3/52/L.52). Subsequently, Bangladesh, Cameroon, the Dominican Republic, El Salvador, France, Israel, Morocco, the Netherlands, Nicaragua, Panama, Poland, the Russian Federation, the former Yugoslav Republic of Macedonia, Ukraine and the United Kingdom of Great Britain and Northern Ireland joined in sponsoring the draft resolution.

20. At its 45th meeting, on 21 November, the Committee adopted draft resolution A/C.3/52/L.52 without a vote (see para. 62, draft resolution VI).

G. Draft resolution A/C.3/52/L.53

21. At the 44th meeting, on 20 November, the representative of Brazil, on behalf of Angola, Argentina, Australia, Austria, Belgium, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Chile, Colombia, Costa Rica, Côte d'Ivoire, Cyprus, the Czech Republic, the Dominican Republic, Ecuador, El Salvador, Ethiopia, Fiji, Finland, France, Germany, Greece, Guatemala, Guinea-Bissau, Guyana, Haiti, Iceland, India, Israel, Italy, Japan, Kenya, Lesotho, Luxembourg, Malta, the Marshall Islands, Monaco, Mongolia, Morocco, Namibia, Nicaragua, Panama, Paraguay, Peru, Poland, Portugal, the Republic of Korea, the Republic of Moldova, Romania, Samoa, San Marino, Slovenia, South Africa, Spain, Thailand, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, the United Kingdom of Great Britain and Northern Ireland, the United States of America, Uruguay and Venezuela, introduced a draft resolution entitled "Strengthening of the rule of law" (A/C.3/52/L.53). Subsequently, Bangladesh, Barbados, Benin, Ireland, Mali, Micronesia (the Federated States of), Nepal, Papua New Guinea, Senegal, Slovakia, Togo and Turkmenistan joined in sponsoring the draft resolution.

22. At its 45th meeting, on 21 November, the Committee adopted draft resolution A/C.3/52/L.53 without a vote (see para. 62, draft resolution VII).

H. Draft resolution A/C.3/52/L.50

23. At the 45th meeting, on 21 November, the representative of Portugal, on behalf of Afghanistan, Angola, Australia, Belgium, Brazil, Bulgaria, Canada, Chile, Costa Rica, Côte d'Ivoire, Cyprus, the Czech Republic, Denmark, Finland, France, Georgia, Germany, Greece, Iceland, Ireland, Italy, Japan, Kyrgyzstan, Luxembourg, Malta, the Marshall Islands, Monaco, the Netherlands, New Zealand, Norway, the Philippines, Poland, Portugal, the Republic of Korea, Romania, Samoa, Slovakia, Spain, Sweden and the United Kingdom of Great Britain and Northern Ireland introduced a draft resolution entitled "Protection of United Nations personnel" (A/C.3/52/L.50). Subsequently, El Salvador, Israel, Panama, Swaziland, Turkmenistan, Ukraine and the United States of America joined in sponsoring the draft resolution.

24. At its 46th meeting, on 24 November, the Committee adopted draft resolution A/C.3/52/L.50 without a vote (see para. 62, draft resolution VIII).

25. After the adoption of the draft resolution, statements were made by the representatives of the Russian Federation and the Sudan (see A/C.3/52/SR.46).

I. Draft resolution A/C.3/52/L.55 and Corr.1

26. At the 45th meeting, on 21 November, the representative of Namibia, on behalf of Angola, Australia, Austria, Bangladesh, Barbados, Belarus, Bolivia, Botswana, Burkina Faso, Canada, Chile, Costa Rica, Cote d'Ivoire, the Dominican Republic, Ecuador, El Salvador, France, Guatemala, Israel, Italy, Japan, Lesotho, Liberia, Malawi, Mauritius, Mongolia, Morocco, Mozambique, Namibia, Nigeria, Panama, Paraguay, the Republic of Korea, Rwanda, Sierra Leone, Slovenia, Solomon Islands, South Africa, the Sudan, Swaziland, Trinidad and Tobago, Turkmenistan, the United Republic of Tanzania, Venezuela, Zambia and Zimbabwe, introduced a draft resolution entitled "United Nations Decade for Human Rights Education, 1995-2004, and public information activities in the field of human rights" (A/C.3/52/L.55 and Corr.1). Subsequently, Afghanistan, Benin, Cameroon, Croatia, Ethiopia, Greece, Guinea, Guinea-Bissau, Haiti, India, Kenya, Mali, the Netherlands, the Russian Federation, Suriname, the former Yugoslav Republic of Macedonia and Uganda joined in sponsoring the draft resolution.

27. At its 46th meeting, on 24 November, the Committee adopted draft resolution A/C.3/52/L.55 and Corr.1 without a vote (see para. 62, draft resolution IX).

J. Draft resolution A/C.3/52/L.60

28. At the 45th meeting, on 21 November, the representative of India, on behalf of Austria, Bangladesh, Brazil, Cameroon, Canada, Chile, Colombia, Costa Rica, Cote d'Ivoire, the Czech Republic, France, India, Indonesia, Italy, Kenya, Latvia, Mali, Mauritius, Mexico, Mongolia, Morocco, Nepal, New Zealand, Nigeria, the Philippines, Portugal, Slovenia, South Africa, Sri Lanka, Thailand, the United States of America and Venezuela, introduced a draft resolution entitled "National institutions for the promotion and protection of human rights"

(A/C.3/52/L.60). Subsequently, Argentina, Antigua and Barbuda, Australia, Benin, Croatia, El Salvador, Ethiopia, Guatemala, Guinea-Bissau, Israel, Micronesia (Federated States of), Niger, Panama, Poland, the Republic of Moldova, Romania, the Russian Federation, Sierra Leone, Slovakia, the Sudan, Togo and Turkmenistan joined in sponsoring the draft resolution.

29. In introducing the draft resolution, the representative of India orally revised the tenth preambular paragraph by inserting the words "the Second European Meeting of National Institutions for the Promotion and Protection of Human Rights, held at Copenhagen in January 1997" after the words "at Darwin, Australia in July 1996", and orally corrected operative paragraph 3 by inserting the words "human rights in accordance with" before the words "international human rights standards".

30. At its 46th meeting, on 24 November, the Committee adopted draft resolution A/C.3/52/L.60, as orally revised and corrected, without a vote (see para. 62, draft resolution X).

K. Draft resolution A/C.3/52/L.45

31. At the 44th meeting, on 20 November, the representative of the United States of America, on behalf of Afghanistan, Andorra, Argentina, Armenia, Australia, Austria, Belarus, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Chile, Costa Rica, Cyprus, the Czech Republic, Denmark, Ecuador, El Salvador, Ethiopia, Fiji, Finland, France, Georgia, Germany, Greece, Haiti, Hungary, Iceland, Ireland, Israel, Italy, Japan, Kyrgyzstan, Liberia, Liechtenstein, Lithuania, Luxembourg, Malawi, Mali, Malta, the Marshall Islands, Micronesia, (Federated States of), Monaco, Mongolia, the Netherlands, Nicaragua, Norway, Panama, Paraguay, the Philippines, Poland, Portugal, the Republic of Korea, the Republic of Moldova, Romania, Saint Vincent and the Grenadines, San Marino, Sierra Leone, Slovakia, Slovenia, Solomon Islands, Spain, Sweden, Turkey, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Venezuela, introduced a draft resolution entitled "Strengthening the role of the United Nations in enhancing the effectiveness of the principle of periodic and genuine elections and the promotion of democratization" (A/C.3/52/L.45). Subsequently, Albania, Bangladesh, Benin, Mauritius, New Zealand, the Russian Federation, Samoa, Thailand, the former Yugoslav Republic of Macedonia and Turkmenistan joined in sponsoring the draft resolution.

32. At its 47th meeting, on 25 November, the Committee adopted draft resolution A/C.3/52/L.45 by a recorded vote of 127 to none, with 16 abstentions (see para. 62, draft resolution XI). The voting was as follows:[1]

In favour: Afghanistan, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Benin, Bolivia, Botswana, Brazil, Bulgaria, Burkina Faso, Canada,

[1] The delegation of the Russian Federation subsequently indicated that it had intended to vote in favour.

Chile, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Finland, France, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Hungary, Iceland, India, Indonesia, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Latvia, Lebanon, Liberia, Liechtenstein, Lithuania, Luxembourg, Malawi, Malaysia, Maldives, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Morocco, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Saint Lucia, Samoa, San Marino, Senegal, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Suriname, Swaziland, Sweden, Thailand, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela, Yemen, Zambia.

Against: None.

Abstaining: Brunei Darussalam, China, Cuba, Democratic People's Republic of Korea, Iran (Islamic Republic of), Lao People's Democratic Republic, Libyan Arab Jamahiriya, Myanmar, Nigeria, Russian Federation, Saudi Arabia, Syrian Arab Republic, Uganda, United Republic of Tanzania, Viet Nam, Zimbabwe.

33. Before the adoption of the draft resolution, the representative of Cuba made a statement (see A/C.3/52/SR.47).

L. Draft resolution A/C.3/52/L.56

34. At the 45th meeting, on 21 November, the representative of Norway, on behalf of Afghanistan, Albania, Angola, Argentina, Australia, Austria, Belgium, Canada, Chile, Costa Rica, Croatia, Cyprus, the Czech Republic, Denmark, El Salvador, Finland, France, Georgia, Germany, Greece, Guatemala, Hungary, Iceland, Ireland, Italy, Liberia, Liechtenstein, Malta, Monaco, Mozambique, Nicaragua, Norway, Peru, the Philippines, Poland, Portugal, the Republic of Korea, the Republic of Moldova, San Marino, Slovakia, Slovenia, Sweden, Uganda and Zambia, introduced a draft resolution entitled "Protection of and assistance to internally displaced persons" (A/C.3/52/L.56). Subsequently, Azerbaijan, Bosnia and Herzegovina, Cote d'Ivoire, Guinea, Guinea-Bissau and Tajikistan joined in sponsoring the draft resolution.

35. At its 47th meeting, on 25 November, the Committee adopted draft resolution A/C.3/52/L.56 without a vote (see para. 62, draft resolution XII).

M. Draft resolution A/C.3/52/L.57

36. At the 45th meeting, on 21 November, the representative of Cuba, on behalf of Afghanistan, Algeria, Angola, Bangladesh, Burundi, China, Colombia, Cuba, the Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Indonesia, Iran (Islamic Republic of), Iraq, Kenya, the Lao People's Democratic Republic, the Libyan Arab Jamahiriya, Malaysia, Mali, Mexico, Mozambique, Myanmar, Namibia, Nigeria, Peru, Rwanda, the Sudan, the Syrian Arab Republic, Togo, Uganda, the United Republic of Tanzania, Viet Nam and Zambia, introduced a draft resolution entitled "Strengthening of United Nations action in the field of human rights through the promotion of international cooperation and the importance of non-selectivity, impartiality and objectivity" (A/C.3/52/L.57).

37. At the 47th meeting, on 25 November, the representative of Cuba orally revised operative paragraph 7 of the draft resolution by deleting the words "giving both the rights of the individual and collective rights due attention" at the end of the paragraph.

38. At the same meeting, the Committee adopted draft resolution A/C.3/52/L.57, as orally revised, by a recorded vote of 89 to 3, with 52 abstentions (see para. 62, draft resolution XIII). The voting was as follows:[2]

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cape Verde, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Cuba, Democratic Republic of the Congo, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Ghana, Guatemala, Guinea, Guinea-Bissau, Haiti, India, Indonesia, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Liberia, Libyan Arab Jamahiriya, Malawi, Malaysia, Mexico, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Saint Lucia, Samoa, Saudi Arabia, Singapore, South Africa, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia.

Against: Iran (Islamic Republic of), Israel, United States of America.

Abstaining: Albania, Andorra, Armenia, Australia, Austria, Belarus, Belgium, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Marshall Islands,

[2] The delegations of the Islamic Republic of Iran and Senegal subsequently indicated that they had intended to vote in favour.

Micronesia (Federated States of), Monaco, Mongolia, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Senegal, Sierra Leone, Slovakia, Slovenia, Solomon Islands, Spain, Sweden, the former Yugoslav Republic of Macedonia, Ukraine, United Kingdom of Great Britain and Northern Ireland, Zimbabwe.

N. Draft resolution A/C.3/52/L.59

39. At the 46th meeting, on 24 November, the representative of Canada, on behalf of Afghanistan, Argentina, Australia, Canada, Côte d'Ivoire, Cyprus, the Czech Republic, Denmark, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Israel, Japan, Malta, the Marshall Islands, Monaco, New Zealand, Norway, the Philippines, Poland and the United Kingdom of Great Britain and Northern Ireland, introduced a draft resolution entitled "Human rights and mass exoduses" (A/C.3/52/L.59). Subsequently, Bosnia and Herzegovina, Costa Rica, Ireland, Italy, Liechtenstein, the Netherlands, the Russian Federation, Sweden and Turkmenistan joined in sponsoring the draft resolution.

40. In introducing the draft resolution, the representative of Canada orally revised it as follows:

(a) In operative paragraph 9, the words "to promote the coordination of human rights activities" were replaced by the words "to coordinate human rights activities";

(b) At the end of operative paragraph 14, the words "nevertheless, considering that over fifty States have yet to accede to these instruments, urges all States that have not yet done so to accede to and implement fully these instruments as well as relevant regional instruments for the protection of refugees, where applicable, thereby strengthening the framework of international protection" were deleted;

(c) In operative paragraph 17, the words "with detailed information" were replaced by the words "including detailed information".

41. At its 47th meeting, on 25 November, the Committee adopted draft resolution A/C.3/52/L.59, as orally revised, without a vote (see para. 62, draft resolution XIV).

42. After the adoption of the draft resolution, the representative of India made a statement (see A/C.3/52/SR.47).

O. Draft resolution A/C.3/52/L.58

43. At the 45th meeting, on 21 November, the representative of Turkey, on behalf of Afghanistan, Albania, Algeria, Azerbaijan, Bangladesh, Bosnia and Herzegovina, Colombia, Costa Rica, Cuba, Ecuador, Egypt, El Salvador, Georgia, India, Morocco, Pakistan, Panama, the Philippines, Turkey and Turkmenistan,

introduced a draft resolution entitled "Human rights and terrorism" (A/C.3/52/L.58). Subsequently, the Republic of Korea, the Sudan, Tajikistan and the former Yugoslav Republic of Macedonia joined in sponsoring the draft resolution.

44. At the 48th meeting, on 26 November, the representative of Turkey orally revised the draft resolution as follows:

(a) Operative paragraph 7, which had read:

"7. Requests the Secretary-General to collect information from all relevant sources on the implications of terrorism, in all its forms and manifestations, and of the fight against terrorism, for the full enjoyment of human rights and fundamental freedoms, and to continue to seek views of Member States on the possible establishment of a United Nations voluntary fund for the victims of terrorism, as well as ways and means to rehabilitate the victims of terrorism and to reintegrate them into society",

was replaced by the following text:

"7. Requests the Secretary-General to continue to seek the views of Member States on the possible establishment of a voluntary fund for the victims of terrorism, as well as ways and means to rehabilitate the victims of terrorism and to reintegrate them into society";

(b) Operative paragraph 8, which had read:

"8. Also requests the Secretary-General to submit to the General Assembly at its fifty-fourth session a report on human rights and terrorism based on the information collected",

was replaced by the following text:

"8. Also requests the Secretary-General to seek the views of Member States on the implications of terrorism, in all its forms and manifestations, for the full enjoyment of all human rights and fundamental freedoms, and to submit a report on the subject to the General Assembly at its fifty-fourth session".

45. At the same meeting, the Committee adopted draft resolution A/C.3/52/L.58, as orally revised, by a recorded vote of 97 to none, with 57 abstentions (see para. 62, draft resolution XV). The voting was as follows:[3]

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cape Verde, China, Colombia, Costa Rica, Côte

[3] The delegation of Kazakhstan subsequently indicated that it had intended to vote in favour.

d'Ivoire, Croatia, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Georgia, Ghana, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lesotho, Liberia, Libyan Arab Jamahiriya, Malaysia, Mali, Mauritania, Morocco, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Republic of Korea, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Saudi Arabia, Senegal, Singapore, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Thailand, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Zambia, Zimbabwe.

Against: None.

Abstaining: Andorra, Argentina, Armenia, Australia, Austria, Belgium, Bulgaria, Cameroon, Canada, Chile, Cyprus, Czech Republic, Denmark, Estonia, Fiji, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Kazakhstan, Kyrgyzstan, Latvia, Lebanon, Liechtenstein, Lithuania, Luxembourg, Malawi, Malta, Marshall Islands, Mauritius, Mexico, Monaco, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Moldova, Romania, Samoa, San Marino, Sierra Leone, Slovakia, Slovenia, Solomon Islands, Spain, Sweden, Syrian Arab Republic, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

46. Before the adoption of the draft resolution, a statement was made by the representative of Luxembourg, on behalf of the States Members of the United Nations that are members of the European Union; after the adoption of the draft resolution, statements were made by the representatives of Canada, Australia, Argentina, Norway, Lebanon, Peru, the Syrian Arab Republic and Mexico (see A/C.3/52/SR.48).

P. Draft resolution A/C.3/52/L.67

47. At the 46th meeting, on 24 November, the representative of Colombia, on behalf of the States Members of the United Nations that are members of the Movement of Non-Aligned Countries, introduced a draft resolution entitled "Enhancement of international cooperation in the field of human rights" (A/C.3/52/L.67). Subsequently, China, Costa Rica, the Dominican Republic, El Salvador, Mali and Nicaragua joined in sponsoring the draft resolution.

48. At the 48th meeting, on 26 November, the representative of Colombia, on behalf of the sponsors, orally revised the draft resolution as follows:

(a) The first preambular paragraph, which had read "Recalling its resolution 51/100 of 12 December 1996", was deleted;

(b) The third preambular paragraph, which had read:

"Recognizing that the enhancement of international cooperation is essential for the effective promotion and protection of human rights",

was replaced by the following text:

"Recognizing that the enhancement of international cooperation in the field of human rights is essential for the full achievement of the purposes of the United Nations, including the effective promotion and protection of all human rights";

(c) The fourth preambular paragraph, which had read:

"Expressing concern at the exploitation of human rights for political purposes, including the selective targeting of individual countries for extraneous considerations",

was replaced by the following text:

"Reaffirming the importance of ensuring the universality, objectivity and non-selectivity of the consideration of human rights issues, and underlining the importance of the promotion of dialogue on human rights issues";

(d) The fifth preambular paragraph, which had read:

"Taking note with appreciation of the resolution entitled 'Promotion of dialogue on human rights issues' adopted by the Subcommission on Prevention of Discrimination and Protection of Minorities of the Commission on Human Rights at its forty-ninth session",

was replaced by the following text:

"Taking note of the adoption of the resolution entitled 'Promotion of dialogue on human rights issues' by the Subcommission on Prevention of Discrimination and Protection of Minorities of the Commission on Human Rights at its forty-ninth session";

(e) Operative paragraph 1, which had read:

"1. Welcomes the statement made by the Chairman of the Commission on Human Rights at its fifty-third session on the importance of cooperation and consultation as well as consensus-building",

was replaced by the following text:

"1. Welcomes the statement made by the Chairman of the Commission on Human Rights at the 70th meeting of its fifty-third session, on 18 April 1997;[1]"

and a footnote to operative paragraph 1 was added, reading:

"[1] With a view to enhancing its effectiveness in promoting and protecting human rights, the Commission on Human Rights at its 70th meeting, on 18 April 1997, recognizing the importance of cooperation and consultation, as well as consensus-building, affirmed that, as far as possible, decisions should be made and resolutions adopted without a vote. However, voting, in accordance with the rules of procedure, should take place when an agreement cannot be reached.

"The Commission takes note of the results achieved in this field during its fifty-second and fifty-third sessions.

"The Commission will continue to keep this matter under review. (Official Records of the Economic and Social Council, 1997, Supplement No. 3 (E/1997/23), para. 34.)";

(f) Operative paragraph 2, which had read:

"2. Calls upon Member States, intergovernmental organizations and specialized agencies, as well as non-governmental organizations, to carry out constructive dialogue and consultations for the enhancement of understanding and the promotion and protection of all human rights and fundamental freedoms",

was replaced by the following text:

"2. Calls upon Member States, intergovernmental organizations and specialized agencies to continue to carry out constructive dialogue and consultations for the enhancement of understanding and the promotion and protection of all human rights and fundamental freedoms, and encourages non-governmental organizations to contribute actively to this endeavour";

(g) Operative paragraph 3, which had read:

"3. Invites the Commission on Human Rights to pursue the matter and continue the process during its fifty-fourth session",

was replaced by the following text:

"3. Notes with appreciation that the Commission on Human Rights will keep under review the matter to which the Chairman's statement refers".

49. Also at the 48th meeting, the Committee adopted draft resolution A/C.3/52/L.67, as orally revised, without a vote (see para. 62, draft resolution XVI).

Q. Draft resolution A/C.3/52/L.68

50. At the 46th meeting, on 24 November, the representative of Australia, on behalf of Andorra, Australia, Austria, Canada, Costa Rica, Denmark, Greece, Hungary, Italy, Japan, Liechtenstein, Luxembourg, Monaco, New Zealand, Norway, Sweden, the United Kingdom of Great Britain and Northern Ireland and the United States of America, introduced a draft resolution entitled "Situation of human rights in Cambodia" (A/C.3/52/L.68). Subsequently, Belgium, Finland, France, Germany, Iceland, Ireland, Israel, the Netherlands, Portugal, Romania and Spain joined in sponsoring the draft resolution.

51. At its 48th meeting, on 26 November, the Committee adopted draft resolution A/C.3/52/L.68 without a vote (see para. 62, draft resolution XVII).

52. Before the adoption of the draft resolution, the representative of the Lao People's Democratic Republic made a statement (see A/C.3/52/SR.48).

R. Draft resolution A/C.3/52/L.66 and Rev.1

53. At the 46th meeting, on 24 November, the representative of Colombia, on behalf of the States Members of the United Nations that are members of the Movement of Non-Aligned Countries, introduced a draft resolution entitled "Right to development" (A/C.3/52/L.66), which read:

"The General Assembly,

"Reaffirming the Declaration on the Right to Development,[4] which it proclaimed at its forty-first session, and noting that the Declaration represents a landmark and meaningful instrument for countries and people worldwide;

"Reaffirming also the commitment contained in the Charter of the United Nations to promote social progress and better standards of life in larger freedom,

"Recalling its previous resolutions and those of the Commission on Human Rights relating to the Right to Development,

"Also recalling the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,[5] which reaffirms the right to development as a universal and inalienable right and an integral part of fundamental human rights and reaffirms that the human person is the central subject of development,

"Emphasizing that development-oriented approaches to the promotion of human rights, as expressed by the Declaration on the Right to Development,

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[4] Resolution 41/128, annex.

[5] A/CONF.157/24 (Part I), chap. III.

constitute an important contribution to the development and strengthening of alternative approaches to the promotion of all human rights,

"Further recalling that in order to promote development equal attention and urgent consideration should be given to the implementation, promotion and protection of civil, political, economic, social and cultural rights, and recognizing that all human rights are universal, indivisible, interdependent and interrelated, and that the universality, objectivity, impartiality and non-selectivity of the consideration of human rights issues must be ensured,

"Also recalling the principles proclaimed in the Rio Declaration on Environment and Development of 14 June 1992,[6] noting the deliberations of the General Assembly at its nineteenth special session, and expressing concern that five years after the adoption of the Rio Declaration, the overall trends for the realization of sustainable development and its impact on the right to development are worse today than they were in 1992 and the commitments made then have not been fulfilled,

"Mindful that the Commission on Human Rights continues to consider this matter, which is directed towards the implementation and further enhancement of the right to development,

"Noting the increasing need for coordination and cooperation throughout the United Nations system for a more effective promotion and realization of the right to development,

"Recognizing that the Office of the United Nations High Commissioner for Human Rights has important roles to play in the promotion, protection and realization of the right to development, including to seek enhanced support from the relevant bodies of the United Nations system for this purpose,

"Reaffirming that lasting progress towards the implementation of the right to development requires effective development policies at the national level, as well as equitable economic relations and a favourable economic environment at the international level,

"Also recognizing that the implementation of the Declaration on the Right to Development requires effective development policies and support at the international level through the effective contribution of States, organs and organizations of the United Nations system and non-governmental organizations active in this field,

"Expressing its concern at the lack of participation of developing countries in the decision-making process at the global level on

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[6] Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992, vol. I, Resolutions Adopted by the Conference (United Nations publication, Sales No. E.93.I.8 and corrigenda), resolution 1, annex I.

macroeconomic policy issues with far-reaching impacts on the world economy, with negative implications for the exercise of the right to development in developing countries,

"Reaffirming the need for action by all States at the national and international levels to realize all human rights, and the need for relevant evaluation mechanisms to ensure the promotion, encouragement and reinforcement of the principles contained in the Declaration on the Right to Development,

"Also reaffirming that all States should promote the establishment, maintenance and strengthening of international peace and security, and to that end should do their utmost to achieve general and complete disarmament under effective international control and to ensure that the resources released by effective disarmament measures are used for comprehensive development, in particular that of developing countries,

"Noting that aspects of the Programme of Action of the International Conference on Population and Development[7] adopted by the Conference on 13 September 1994, the Copenhagen Declaration on Social Development and the Programme of Action of the World Summit for Social Development[8] adopted by the Summit on 12 March 1995, the Beijing Declaration and Platform for Action[9] adopted by the Fourth World Conference on Women on 15 September 1995, and the Istanbul Declaration on Human Settlements and Habitat Agenda[10] adopted by the United Nations Conference on Human Settlements (Habitat II) at Istanbul on 14 June 1996 are relevant to the universal realization of the right to development, within the context of promoting and protecting all human rights,

"Affirming the need to apply a gender perspective in the implementation of the right to development, inter alia, by ensuring that women play an active role in the development process,

"Expressing concern that more than 10 years after the adoption of the Declaration on the Right to Development, obstacles to the realization of the right to development still persist at both the national and international levels, and that new obstacles have emerged to the rights

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[7] Report of the International Conference on Population and Development, Cairo, 5-13 September 1994 (United Nations publication, Sales No. E.95.XIII.18), chap. I, resolution 1, annex.

[8] Report of the World Summit for Social Development, Copenhagen, 6-12 March 1995 (United Nations publication, Sales No. E.96.IV.8), chap. I, resolution 1, annexes I and II.

[9] Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995 (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

[10] A/CONF.165/14, chap. I, resolution 1, annexes I and II.

stated thereto, including the negative effects of globalization on the right to development, particularly in developing countries,

"Expressing further concern that the Declaration on the Right to Development is insufficiently disseminated and should be taken into account, as appropriate, in bilateral and multilateral cooperation programmes, national development strategies, and policies and activities of international organizations,

"Having considered the note by the Secretary-General on the right to development,[11] prepared pursuant to General Assembly resolution 51/99,

"1. Takes note of the report of the Secretary-General;

"2. Reaffirms the importance of the right to development for every human person and all peoples in all countries, in particular the developing countries, as an integral part of fundamental human rights and its contribution to the alternative approaches to the fuller enjoyment of all human rights whose full potential has still to be adequately realized;

"3. Recognizes that the Declaration on the Right to Development[4] constitutes an integral link between the Universal Declaration on Human Rights[12] and the Vienna Declaration and Programme of Action[5] through its elaboration of a holistic vision integrating economic, social and cultural rights with civil and political rights;

"4. Reiterates its commitment to implementing the results of the World Conference on Human Rights, which reaffirms that all human rights are universal, indivisible, interdependent and interrelated, and that democracy, development, and respect for human rights and fundamental freedoms are interdependent and mutually reinforcing;

"5. Also reiterates that lasting progress towards the implementation of the right to development requires effective development policies at the national level, as well as equitable economic environment at the international level;

"6. Stresses that the selective interpretation and application of human rights should not be used as an instrument of trade protectionism or leverage for narrow economic or commercial ends, or to constrain unfairly the legitimate development programmes of countries;

"7. Requests the Secretary-General, in implementing his measures and proposals for the reform of the United Nations,[13] to place emphasis, as a

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[11] A/52/473.

[12] Resolution 217 A (III).

[13] See A/52/303.

matter of high priority, on the promotion and realization of the right to development;

"8. Calls upon the Commission on Human Rights to consider carefully the report of the second session of the Intergovernmental Group of Experts to elaborate a strategy for the implementation and promotion of the right to development, as set forth in the Declaration on the Right to Development, in its integrated and multidimensional aspects, bearing in mind the conclusions of the Working Group on the Right to Development established by the Commission on Human Rights in its resolution 1993/22 of 4 March 1993, and the conclusions of the World Conference on Human Rights and of the United Nations Conference on Environment and Development, the International Conference on Population and Development, the World Summit for Social Development, the Fourth World Conference on Women and the United Nations Conference on Settlements (Habitat II);

"9. Notes the efforts made by the United Nations High Commissioner for Human Rights within her mandate, and encourages her to continue the coordination of various activities with regard to the implementation of the right to development, including a programmatic follow-up to the establishment in the Office of the United Nations High Commissioner for Human Rights of a separate new branch with staff dealing specifically with the promotion and realization of the right to development, as well as with commensurate levels of services and resources as part of the effort to implement the Vienna Declaration and Programme of Action, bearing in mind that the actions taken so far to that effect have been insufficient, to the detriment of the priority treatment that the right to development ought to be given;

"10. Requests the Commission on Human Rights at its next session to:

"(a) Examine ways and means to provide the Declaration on the Right to Development with a profile commensurate with its importance;

"(b) Also examine the desirability of the inclusion of the Declaration on the Right to Development in the International Bill of Human Rights, on an equal footing with the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights[14] and the International Covenant on Economic, Social and Cultural Rights;[14]

"11. Also requests the United Nations High Commissioner for Human Rights, within her mandate, to continue to take steps for the promotion, protection and realization of the right to development, by, inter alia, drawing on the expertise of the funds, programmes and specialized agencies of the United Nations system related to the field of development;

"12. Requests the Secretary-General to inform the Commission on Human Rights at its fifty-fourth session and the General Assembly at its fifty-third session of the activities of the organizations, funds, programmes and

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[14] Resolution 2200 A (XXI), annex.

specialized agencies of the United Nations system for the implementation of the Declaration on the Right to Development, as well as obstacles identified by them to the realization of the right to development;

"13. Calls upon all Member States to make further concrete efforts at the national and international levels to remove the obstacles to the realization of the right to development;

"14. Calls upon also the Commission on Human Rights to continue to make proposals to the General Assembly, through the Economic and Social Council, on the future course of action on the question, in particular on practical measures for the implementation and enhancement of the Declaration on the Right to Development, including comprehensive and effective measures to eliminate obstacles to its implementation, taking into account the conclusions and recommendations of the Global Consultation on the Realization of the Right to Development as a Human Right, the reports of the Working Group on the Right to Development and the report of the Intergovernmental Group of Experts to elaborate a strategy for the implementation and promotion of the right to development;

"15. Encourages all States to address, within the declarations and programmes of action adopted by the relevant international conferences convened by the United Nations, the elements for the promotion and protection of the principles of the right to development as set out in the Declaration on the Right to Development;

"16. Requests the Secretary-General to submit a report on the implementation of the present resolution to the General Assembly at its fifty-third session;

"17. Decides to consider this question at its fifty-third session under the sub-item entitled 'Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms'."

54. At its 48th meeting, on 26 November, the Committee had before it a revised draft resolution (A/C.3/52/L.66/Rev.1), submitted by the sponsors of draft resolution A/C.3/52/L.66, joined by China and Paraguay.

55. At the same meeting, the representative of Colombia orally revised the draft resolution by inserting a new paragraph after operative paragraph 16, reading:

"17. Affirms in the above regard that the inclusion of the Declaration on the Right to Development in the International Bill of Human Rights would be an appropriate means of celebrating the fiftieth anniversary of the Universal Declaration of Human Rights",

and renumbering the subsequent paragraphs accordingly.

56. At the 49th meeting, on 26 November, the representative of Luxembourg, on behalf of the States Members of the United Nations that are members of the European Union, proposed an amendment to the draft resolution by which the fifth, fifteenth, seventeenth and twentieth preambular paragraphs and operative paragraphs 7, 8, 16 and 17 would be deleted.

57. At the 50th meeting, on 26 November, the amendments proposed by the representative of Luxembourg were rejected by a recorded vote of 96 to 37, with 8 abstentions. The voting was as follows:

In favour: Andorra, Australia, Austria, Belgium, Bulgaria, Canada, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Monaco, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Moldova, Romania, Slovakia, Spain, Sweden, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

Against: Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Bahrain, Bangladesh, Barbados, Belize, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cape Verde, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominican Republic, Ecuador, Egypt, Ethiopia, Ghana, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Malawi, Malaysia, Maldives, Malta, Marshall Islands, Mauritania, Mexico, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Rwanda, Saudi Arabia, Senegal, Singapore, Slovenia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Abstaining: Azerbaijan, Belarus, Cyprus, Georgia, Kazakhstan, Kyrgyzstan, Republic of Korea, Russian Federation.

58. Also at the 50th meeting, the Committee adopted draft resolution A/C.3/52/L.66/Rev.1, as orally revised, by a recorded vote of 104 to 12, with 33 abstentions (see para. 62, draft resolution XVIII). The voting was as follows:

In favour: Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cape Verde, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Democratic People's

Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominican Republic, Ecuador, Egypt, Ethiopia, Ghana, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Malawi, Malaysia, Maldives, Malta, Marshall Islands, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Lucia, Saudi Arabia, Senegal, Singapore, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Canada, Czech Republic, Denmark, Finland, Iceland, Japan, Luxembourg, Netherlands, Norway, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Albania, Andorra, Armenia, Australia, Austria, Belgium, Bulgaria, Croatia, Estonia, France, Georgia, Germany, Greece, Hungary, Ireland, Israel, Italy, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Monaco, New Zealand, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Slovakia, Slovenia, Spain, Ukraine.

59. Before the adoption of the draft resolution, statements were made by the representatives of Canada, Australia, Slovenia, Norway (on behalf also of Denmark, Finland, the Netherlands, Sweden and the United Kingdom of Great Britain and Northern Ireland) and Japan; after the adoption of the draft resolution, statements were made by the representatives of the United States of America, Liechtenstein, the Russian Federation, New Zealand, France, Germany and Spain (see A/C.3/52/SR.50).

S. Draft decision A/C.3/52/L.76

60. At its 46th meeting, on 24 November, the Committee had before it a draft decision entitled "Award of human rights prizes in 1998" (A/C.3/52/L.76), submitted by the Chairman.

61. At its 47th meeting, on 25 November, the Committee adopted draft decision A/C.3/52/L.76 without a vote (see para. 63).

III. RECOMMENDATIONS OF THE THIRD COMMITTEE

62. The Third Committee recommends to the General Assembly the adoption of the following draft resolutions:

DRAFT RESOLUTION I

Respect for the principles of national sovereignty and non-interference in the internal affairs of States in their electoral processes

The General Assembly,

Reaffirming the purpose of the United Nations to develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples and to take other appropriate measures to strengthen universal peace,

Recalling its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples,

Recalling also its resolution 2625 (XXV) of 24 October 1970, by which it approved the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations,

Recalling further the principle enshrined in Article 2, paragraph 7, of the Charter of the United Nations, which establishes that nothing contained in the Charter shall authorize the United Nations to intervene in matters that are essentially within the domestic jurisdiction of any State or shall require the Members to submit such matters to settlement under the Charter,

Reaffirming the obligation of Member States to comply with the principles of the Charter and the resolutions of the United Nations regarding the right to self-determination, by virtue of which all peoples can freely determine, without external interference, their political status and freely pursue their economic, social and cultural development,

Recognizing that the principles of national sovereignty and non-interference in the internal affairs of any State should be respected in the holding of elections,

Recognizing also that there is no single political system or single universal model for electoral processes equally suited to all nations and their peoples, and that political systems and electoral processes are subject to historical, political, cultural and religious factors,

Convinced that the establishment of the necessary mechanisms and means to guarantee full and effective popular participation in electoral processes corresponds to States,

Recalling all its previous resolutions in this regard, particularly its resolution 50/172 of 22 December 1995,

Welcoming the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993,[15] in which the Conference reaffirmed that the processes of promoting and protecting human rights should be conducted in conformity with the purposes and principles of the Charter,

1. Reiterates that, by virtue of the principle of equal rights and self-determination of peoples enshrined in the Charter of the United Nations, all peoples have the right, freely and without external interference, to determine their political status and to pursue their economic, social and cultural development, and that every State has the duty to respect that right in accordance with the provisions of the Charter;

2. Reaffirms that it is the concern solely of peoples to determine methods and to establish institutions regarding the electoral process, as well as to determine the ways for its implementation according to their constitution and national legislation, and that, consequently, States should establish the necessary mechanisms and means to guarantee full and effective popular participation in those processes;

3. Also reaffirms that any activities that attempt, directly or indirectly, to interfere in the free development of national electoral processes, in particular in the developing countries, or that are intended to sway the results of such processes, violate the spirit and letter of the principles established in the Charter and in the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations;

4. Further reaffirms that electoral assistance to Member States should be provided by the United Nations only at the request and with the consent of specific sovereign States, in strict conformity with the principles of sovereignty and non-interference in the internal affairs of States, or in special circumstances such as cases of decolonization, or in the context of regional or international peace processes;

5. Strongly appeals to all States to refrain from financing or providing, directly or indirectly, any other form of overt or covert support for political parties or groups and from taking actions to undermine the electoral processes in any country;

6. Condemns any act of armed aggression or threat or use of force against peoples, their elected Governments or their legitimate leaders;

7. Reaffirms that all countries have the obligation under the Charter to respect the right of others to self-determination and to determine freely their political status and pursue their economic, social and cultural development;

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[15] A/CONF.157/24 (Part I), chap. III.

8. Decides to consider this question at its fifty-fourth session under the item entitled "Human rights questions".

DRAFT RESOLUTION II

Human rights and unilateral coercive measures

The General Assembly,

Recalling its resolution 51/103 of 12 December 1996,

Reaffirming the pertinent principles and provisions contained in the Charter of Economic Rights and Duties of States proclaimed by the General Assembly in its resolution 3281 (XXIX) of 12 December 1974, in particular article 32 thereof, in which it is declared that no State may use or encourage the use of economic, political or any other type of measures to coerce another State in order to obtain from it the subordination of the exercise of its sovereign rights,

Taking note of the report submitted by the Secretary-General[16] pursuant to Commission on Human Rights resolution 1995/45 of 3 March 1995,[17]

Recognizing the universal, indivisible, interdependent and interrelated character of all human rights, and, in this regard, reaffirming the right to development as an integral part of all human rights,

Recalling that the World Conference on Human Rights called upon States to refrain from any unilateral coercive measure not in accordance with international law and the Charter of the United Nations that creates obstacles to trade relations among States and impedes the full realization of all human rights,[18]

Bearing in mind all the references to this question in the Copenhagen Declaration on Social Development, adopted by the World Summit for Social Development on 12 March 1995,[19] the Beijing Declaration and the Platform for

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[16] E/CN.4/1996/45 and Add.1.

[17] See Official Records of the Economic and Social Council, 1995, Supplement No. 3 and corrigenda (E/1995/23 and Corr.1 and 2), chap. II, sect. A.

[18] A/CONF.157/24 (Part I), chap. III, sect. I, para. 31.

[19] Report of the World Summit for Social Development, Copenhagen, 6-12 March 1995 (United Nations publication, Sales No. E.96.IV.8), chap. I, resolution 1, annex I.

Action,[20] adopted by the Fourth World Conference on Women on 15 September 1995, and the Istanbul Declaration on Human Settlements and the Habitat Agenda, adopted by the United Nations Conference on Human Settlements (Habitat II) on 14 June 1996,[21]

Deeply concerned that, despite the recommendations adopted on this issue by the General Assembly and recent major United Nations conferences, and contrary to general international law and the Charter of the United Nations, unilateral coercive measures continue to be promulgated and implemented with all their extraterritorial effects, inter alia, on the economic and social development of targeted countries and peoples and individuals under the jurisdiction of other States,

Noting the continuing efforts of the Working Group on the Right to Development and reaffirming in particular its criteria according to which unilateral coercive measures are one of the obstacles to the implementation of the Declaration on the Right to Development,[22]

1. Urges all States to refrain from adopting or implementing any unilateral measure not in accordance with international law and the Charter of the United Nations, in particular those of a coercive nature with all their extraterritorial effects, which create obstacles to trade relations among States, thus impeding the full realization of the rights set forth in the Universal Declaration of Human Rights[23] and other international human rights instruments, in particular the right of individuals and peoples to development;

2. Rejects unilateral coercive measures with all their extraterritorial effects as tools for political or economic pressure against any country, in particular against developing countries, because of their negative effects on the realization of all the human rights of vast sectors of their populations, in particular children, women and the elderly;

3. Calls upon Member States that have initiated such measures to commit themselves to their obligations and responsibilities arising from the international human rights instruments to which they are party by revoking such measures at the earliest time possible;

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[20] Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995 (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

[21] Report of the United Nations Conference on Human Settlements, (Habitat II), Istanbul, 3-14 June 1996 (United Nations publication, Sales No. E.97.IV.6), chap. I, resolution 1, annexes I and II.

[22] Resolution 41/128, annex.

[23] Resolution 217 A (III).

4. Reaffirms, in this context, the right of all peoples to self-determination, by virtue of which they freely determine their political status and freely pursue their economic, social and cultural development;

5. Urges the Commission on Human Rights to take fully into account the negative impact of unilateral coercive measures, including enactment of national laws and their extraterritorial application, in its task concerning the implementation of the right to development;

6. Requests the United Nations High Commissioner for Human Rights, in discharging her functions relating to the promotion, realization and protection of the right to development, to give urgent consideration to the present resolution in her annual report to the General Assembly;

7. Requests the Secretary-General to bring the present resolution to the attention of all Member States and seek their views and information on the implications and negative effects of unilateral coercive measures on their populations, and to submit accordingly a report thereon to the General Assembly at its fifty-third session;

8. Decides to examine this question, on a priority basis, at its fifty-third session under the sub-item entitled "Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms".

DRAFT RESOLUTION III

Respect for the right to universal freedom of travel and the vital importance of family reunification

The General Assembly,

Reaffirming that all human rights and fundamental freedoms are universal, indivisible, interdependent and interrelated,

Recalling the provisions of the Universal Declaration of Human Rights,[24]

Stressing that, as stated in the Programme of Action of the International Conference on Population and Development,[25] family reunification of documented migrants is an important factor in international migration and that remittances by documented migrants to their countries of origin often constitute a very important source of foreign exchange and are instrumental in improving the well-being of relatives left behind,

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[24] Resolution 217 A (III).

[25] Report of the International Conference on Population and Development, Cairo, 5-13 September 1994 (United Nations publication, Sales No. E.95.XIII.18), chap. I, resolution 1, annex.

Recalling also its resolution 51/89 of 12 December 1996,

1. Once again calls upon all States to guarantee the universally recognized freedom of travel to all foreign nationals legally residing in their territory;

2. Reaffirms that all Governments, particularly those of receiving countries, must recognize the vital importance of family reunification and promote its incorporation into national legislation in order to ensure protection of the unity of families of documented migrants;

3. Calls upon all States to allow, in conformity with international legislation, the free flow of financial remittances by foreign nationals residing in their territory to their relatives in the country of origin;

4. Also calls upon all States to refrain from enacting, and to repeal if it already exists, legislation intended as a coercive measure that discriminates against legal migrants by adversely affecting family reunification and the right to send financial remittance to relatives in the country of origin;

5. Decides to continue its consideration of this question at its fifty-third session under the item entitled "Human rights questions".

DRAFT RESOLUTION IV

Elimination of all forms of religious intolerance

The General Assembly,

Recalling that all States have pledged themselves, under the Charter of the United Nations, to promote and encourage universal respect for and observance of human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

Reaffirming that discrimination against human beings on the grounds of religion or belief constitutes an affront to human dignity and a disavowal of the principles of the Charter,

Reaffirming also its resolution 36/55 of 25 November 1981, by which it proclaimed the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief,

Recalling article 18 of the International Covenant on Civil and Political Rights,[26]

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[26] Resolution 2200 A (XXI), annex.

Emphasizing that the right to freedom of thought, conscience, religion and belief is far-reaching and profound and that it encompasses freedom of thought on all matters, personal conviction and the commitment to religion or belief, whether manifested individually or in community with others,

Reaffirming the call of the World Conference on Human Rights for all Governments to take all appropriate measures in compliance with their international obligations and with due regard to their respective legal systems to counter intolerance and related violence based on religion or belief, including practices of discrimination against women and the desecration of religious sites, recognizing that every individual has the right to freedom of thought, conscience, expression and religion,[27]

Calling upon all Governments to cooperate with the Special Rapporteur of the Commission on Human Rights on the elimination of all forms of religious intolerance and of discrimination based on religion or belief to enable him to carry out his mandate fully,

Alarmed that serious instances of intolerance and discrimination on the grounds of religion or belief, including acts of violence, intimidation and coercion motivated by religious intolerance, occur in many parts of the world and threaten the enjoyment of human rights and fundamental freedoms,

Deeply concerned that, as reported by the Special Rapporteur, the rights violated on religious grounds include the right to life, the right to physical integrity and to liberty and security of person, the right to freedom of expression, the right not to be subjected to torture or other cruel, inhuman or degrading treatment or punishment and the right not to be arbitrarily arrested or detained,[28]

Believing that further efforts are therefore required to promote and protect the right to freedom of thought, conscience, religion and belief and to eliminate all forms of hatred, intolerance and discrimination based on religion or belief,

1. Reaffirms that freedom of thought, conscience, religion and belief is a human right derived from the inherent dignity of the human person and guaranteed to all without discrimination;

2. Urges States to ensure that their constitutional and legal systems provide adequate and effective guarantees of freedom of thought, conscience, religion and belief, including the provision of effective remedies in cases where the right to freedom of religion or belief is violated;

3. Also urges States to ensure, in particular, that no one within their jurisdiction is, because of his or her religion or belief, deprived of the right

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[27] A/CONF.157/24 (Part I), chap. III, sect. II, para. 22.

[28] E/CN.4/1994/79, para. 103.

to life or the right to liberty and security of person, or subjected to torture or arbitrary arrest or detention;

4. Further urges States, in conformity with international standards of human rights, to take all necessary action to prevent such instances, to take all appropriate measures to combat hatred, intolerance and acts of violence, intimidation and coercion motivated by religious intolerance and to encourage, through the educational system and by other means, understanding, tolerance and respect in matters relating to freedom of religion or belief;

5. Recognizes that legislation alone is not enough to prevent violations of human rights, including the right to freedom of religion or belief;

6. Emphasizes that, as underlined by the Human Rights Committee, restrictions on the freedom to manifest religion or belief are permitted only if limitations are prescribed by law, are necessary to protect public safety, order, health or morals, or the fundamental rights and freedoms of others, and are applied in a manner that does not vitiate the right to freedom of thought, conscience and religion;

7. Urges States to ensure that, in the course of their official duties, members of law enforcement bodies, civil servants, educators and other public officials respect different religions and beliefs and do not discriminate against persons professing other religions or beliefs;

8. Calls upon all States to recognize, as provided in the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, the right of all persons to worship or assemble in connection with a religion or belief and to establish and maintain places for those purposes;

9. Expresses its grave concern at any attack upon religious places, sites and shrines, and calls upon all States, in accordance with their national legislation and in conformity with international human rights standards, to exert utmost efforts to ensure that such places, sites and shrines are fully respected and protected;

10. Recognizes that the exercise of tolerance and non-discrimination by persons and groups is necessary for the full realization of the aims of the Declaration;

11. Encourages the continued efforts on the part of the Special Rapporteur of the Commission on Human Rights on the elimination of all forms of religious intolerance and of discrimination based on religion or belief, appointed to examine incidents and governmental actions in all parts of the world that are incompatible with the provisions of the Declaration and to recommend remedial measures as appropriate;

12. Encourages Governments to give serious consideration to inviting the Special Rapporteur to visit their countries so as to enable him to fulfil his mandate even more effectively;

13. Also encourages Governments, when seeking the assistance of the United Nations programme of advisory services and technical assistance in the field of human rights, to consider, where appropriate, including requests for assistance in the field of the promotion and protection of the right to freedom of thought, conscience and religion;

14. Welcomes and encourages the efforts of non-governmental organizations and religious bodies and groups to promote the implementation of the Declaration, and invites them to consider what further contribution they could make to its implementation and dissemination in all parts of the world;

15. Requests the Commission on Human Rights to continue its consideration of measures to implement the Declaration;

16. Requests the Special Rapporteur to submit an interim report to the General Assembly at its fifty-third session;

17. Requests the Secretary-General to ensure that the Special Rapporteur receives the necessary staffing, financial and material resources to enable him to discharge in full and on time his mandate;

18. Decides to consider the question of the elimination of all forms of religious intolerance at its fifty-third session under the item entitled "Human rights questions".

DRAFT RESOLUTION V

Effective promotion of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities

The General Assembly,

Recalling its resolution 47/135 of 18 December 1992, as well as its subsequent resolutions on the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities,

Considering that the promotion and protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities contribute to political and social stability and peace and enrich the cultural heritage of society as a whole in the States in which such persons live,

Concerned by the growing frequency and severity of disputes and conflicts concerning minorities in many countries, and their often tragic consequences, and concerned also that persons belonging to minorities are particularly vulnerable to displacement through, inter alia, population transfers, refugee flows and forced relocation,

Acknowledging that the United Nations has an increasingly important role to play regarding the protection of minorities by, inter alia, taking due account of and giving effect to the Declaration,

Noting that the Working Group on Minorities of the Subcommission on Prevention of Discrimination and Protection of Minorities held its third session from 26 to 30 May 1997, and that its report will be made available to the Commission on Human Rights,

1. Takes note of the report of the Secretary-General;[29]

2. Reaffirms the obligation of States to ensure that persons belonging to minorities may exercise fully and effectively all human rights and fundamental freedoms without any discrimination and in full equality before the law in accordance with the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities;

3. Urges States and the international community to promote and protect the rights of persons belonging to national or ethnic, religious and linguistic minorities, as set out in the Declaration, including through the facilitation of their participation in all aspects of the political, economic, social, religious and cultural life of society and in the economic progress and development of their country;

4. Also urges States to take, as appropriate, all the necessary constitutional, legislative, administrative and other measures to promote and give effect to the Declaration;

5. Recognizes that respect for human rights and the promotion of understanding and tolerance by Governments as well as between and among minorities are central to the protection and promotion of the rights of persons belonging to minorities;

6. Appeals to States to make bilateral and multilateral efforts, as appropriate, in order to protect the rights of persons belonging to national or ethnic, religious and linguistic minorities in their country, in accordance with the Declaration;

7. Calls upon the Secretary-General to make available, at the request of Governments concerned, qualified expertise on minority issues, including the prevention and resolution of disputes, to assist in existing or potential situations involving minorities;

8. Calls upon the United Nations High Commissioner for Human Rights to promote, within her mandate, the implementation of the Declaration and to continue to engage in a dialogue with Governments concerned for that purpose;

9. Requests the High Commissioner to continue her efforts to improve the coordination and cooperation among United Nations programmes and agencies on activities related to the promotion and protection of the rights of persons belonging to minorities and to take the work of relevant regional organizations active in the field of human rights into account in her endeavours;

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[29] A/52/498.

10. Welcomes the inter-agency consultation of the High Commissioner with United Nations programmes and agencies on minority issues and calls upon those programmes and agencies to contribute actively to this process;

11. Urges all treaty bodies to give due regard, within their respective mandates, to the promotion and protection of the rights of persons belonging to minorities;

12. Calls upon all special representatives, special rapporteurs and working groups of the Commission on Human Rights to continue to give attention, within their respective mandates, to situations involving minorities;

13. Encourages intergovernmental and non-governmental organizations to continue to contribute to the promotion and protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities;

14. Expresses its expectation that the Working Group on Minorities of the Subcommission on Prevention of Discrimination and Protection of Minorities will further implement its mandate with the involvement of a wide range of participants;

15. Requests the Secretary-General to report to the General Assembly at its fifty-fourth session on the implementation of the present resolution under the item entitled "Human rights questions".

DRAFT RESOLUTION VI

Human rights in the administration of justice

The General Assembly,

Recalling its resolution 50/181 of 22 December 1995, and taking note of Commission on Human Rights resolution 1996/32 of 19 April 1996[30] and decision 1997/106 of 11 April 1997[31] on human rights in the administration of justice, in particular of children and juveniles in detention,

Bearing in mind the principles embodied in articles 3, 5, 9 and 10 of the Universal Declaration of Human Rights[32] and the relevant provisions of the International Covenant on Civil and Political Rights and the Optional Protocols thereto,[33] in particular article 6 of the Covenant, which explicitly states that

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[30] See Official Records of the Economic and Social Council, 1996, Supplement No. 3 (E/1996/23), chap. II, sect. A.

[31] Ibid., 1997, Supplement No. 3 (E/1997/23), chap. II, sect. B.

[32] Resolution 217 A (III).

[33] See resolution 2200 A (XXI), annex, and resolution 44/128, annex.

no one shall be arbitrarily deprived of his life and prohibits the imposition of the death penalty for crimes committed by persons below eighteen years of age,

Bearing in mind also the relevant principles embodied in the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,[34] the International Convention on the Elimination of All Forms of Racial Discrimination[35] and the Convention on the Rights of the Child,[36]

Mindful of the Convention on the Elimination of All Forms of Discrimination against Women,[37] in particular of the obligation of States to treat men and women equally in all stages of procedures in courts and tribunals,

Recalling in particular article 37 of the Convention on the Rights of the Child, according to which every child deprived of liberty shall be treated in a manner which takes into account the needs of persons of his or her age,

Calling attention to the numerous international standards in the field of the administration of justice,

Welcoming the Guidelines for Action on Children in the Criminal Justice System,[38] including the establishment of a coordination panel on technical advice and assistance in juvenile justice,

Welcoming the important work of the Commission on Human Rights and the Commission on Crime Prevention and Criminal Justice in the field of human rights in the administration of justice and emphasizing the importance of coordinating the activities carried out under their responsibility,

Acknowledging the important role of the regional commissions, specialized agencies and United Nations institutes in the area of human rights and crime prevention and criminal justice, and of other organizations of the United Nations system, as well as intergovernmental and non-governmental organizations, including national professional associations concerned with promoting United Nations standards in this field,

Aware of the need for special vigilance with regard to the vulnerable situation of children and juveniles, as well as women and girls in detention,

1. Reaffirms the importance of the full and effective implementation of all United Nations standards on human rights in the administration of justice;

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[34] Resolution 39/46, annex.

[35] Resolution 2106 A (XX), annex.

[36] Resolution 44/25, annex.

[37] Resolution 34/180, annex.

[38] Economic and Social Council resolution 1997/30, annex.

2. Reiterates its call to all Member States to spare no effort in providing for effective legislative and other mechanisms and procedures, as well as adequate resources, to ensure the full implementation of those standards;

3. Invites Governments to provide training, including gender-sensitive training, in human rights in the administration of justice, including juvenile justice, to all judges, lawyers, prosecutors, social workers and other professionals concerned, including police and immigration officers;

4. Invites States to make use of technical assistance offered by the United Nations programmes of technical assistance, in order to strengthen national capacities and infrastructures in the field of administration of justice;

5. Invites the international community to respond favourably to requests for financial and technical assistance for the enhancement and strengthening of the administration of justice;

6. Calls upon the Secretary-General to strengthen system-wide coordination in the field of administration of justice, in particular between the United Nations programmes in the field of human rights and crime prevention and criminal justice;

7. Calls upon the United Nations High Commissioner for Human Rights, as well as mechanisms of the Commission on Human Rights and its subsidiary body, including special rapporteurs, special representatives and working groups, to continue to give special attention to questions relating to the effective promotion of human rights in the administration of justice, and to provide, where appropriate, specific recommendations in this regard, including proposals for measures of advisory services and technical assistance;

8. Invites the Commission on Human Rights and the Commission on Crime Prevention and Criminal Justice to coordinate closely their activities relating to the administration of justice;

9. Decides to consider the question of human rights in the administration of justice at its fifty-fourth session under the item entitled "Human rights questions".

DRAFT RESOLUTION VII

Strengthening of the rule of law

The General Assembly,

Recalling that, by adopting the Universal Declaration of Human Rights,[39] Member States have pledged themselves to achieve, in cooperation with the United

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[39] Resolution 217 A (III).

Nations, the promotion of universal respect for and observance of human rights and fundamental freedoms,

Firmly convinced that the rule of law is an essential factor in the protection of human rights, as stressed in the Universal Declaration of Human Rights, and should continue to attract the attention of the international community,

Convinced that through their own national legal and judicial systems States must provide appropriate civil, criminal and administrative remedies for violations of human rights,

Recognizing the importance of the role that can be played by the Office of the United Nations High Commissioner for Human Rights in supporting national efforts to strengthen the institutions of the rule of law,

Bearing in mind that, in its resolution 48/141 of 20 December 1993, the General Assembly entrusted the United Nations High Commissioner for Human Rights with, inter alia, providing advisory services and technical and financial assistance in the field of human rights, enhancing international cooperation for the promotion and protection of all human rights and coordinating human rights activities throughout the United Nations system,

Recalling the recommendation of the World Conference on Human Rights that a comprehensive programme be established within the United Nations with a view to helping States in the task of building and strengthening adequate national structures that have a direct impact on the overall observance of human rights and the maintenance of the rule of law,[40]

Recalling also its resolution 51/96 of 12 December 1996 and Commission on Human Rights resolution 1997/48 of 11 April 1997,[41]

1. Takes note with satisfaction of the report of the Secretary-General;[42]

2. Praises the efforts made by the Office of the United Nations High Commissioner for Human Rights to accomplish its ever-increasing tasks with the limited financial and personnel resources at its disposal;

3. Expresses its deep concern at the scarcity of means at the disposal of the Office of the United Nations High Commissioner for Human Rights for the fulfilment of its tasks;

4. Notes that the programme of advisory services and technical assistance does not have sufficient funds to provide any substantial financial assistance

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[40] See A/CONF.157/24 (Part I), chap. III, sect. II, para. 69.

[41] See Official Records of the Economic and Social Council, 1997, Supplement No. 3 (E/1997/23), chap. II, sect. A.

[42] A/52/475.

to national projects that have a direct impact on the realization of human rights and the maintenance of the rule of law in countries that are committed to those ends but that face economic hardship;

5. Affirms that the Office of the United Nations High Commissioner for Human Rights remains the focal point for coordinating system-wide attention to human rights, democracy and the rule of law;

6. Welcomes the deepening of the ongoing dialogue initiated by the United Nations High Commissioner for Human Rights with other relevant bodies and programmes of the United Nations system with a view to enhancing system-wide coordination of assistance in human rights, democracy and the rule of law;

7. Encourages the High Commissioner to continue this dialogue, taking into account the need to explore new synergies with other organs and agencies of the United Nations system with a view to obtaining increased financial assistance for human rights and the rule of law,

8. Also encourages the High Commissioner to continue to explore the possibility of further contact with and support of financial institutions, acting within their mandates, with a view to obtaining technical and financial means to strengthen the capacity of the Office to provide assistance to national projects aiming at the realization of human rights and the maintenance of the rule of law;

9. Requests the High Commissioner to accord high priority to the technical cooperation activities undertaken by the Office with regard to the rule of law;

10. Takes note with appreciation of the proposal contained in the report of the Secretary-General that an analysis be undertaken of technical cooperation provided by the United Nations in the field of human rights with the aim of formulating recommendations for inter-agency coordination, funding and allocation of responsibilities in order to improve efficiency and complementarity of action concerning, inter alia, assistance to States in strengthening the rule of law;

11. Requests the Secretary-General to submit a report to the General Assembly at its fifty-third session on the results of the contacts established in accordance with the present resolution, as well as on any other developments pertaining to the implementation of the above-mentioned recommendation of the World Conference on Human Rights.

DRAFT RESOLUTION VIII

Protection of United Nations personnel

The General Assembly,

Recalling its resolutions 51/137 of 13 December 1996 and 51/227 of 3 April 1997, and Commission on Human Rights resolution 1997/25 of 11 April 1997,[43]

Mindful that special attention for the safety and security of United Nations and other personnel acting under the authority of the United Nations operations is required owing to the growing number of assignments entrusted to the United Nations system by Member States,

Gravely concerned at the recent increase in attacks and the use of force against United Nations and other personnel acting under the authority of the United Nations operations, including murder, physical and psychological threats, hostage taking, shooting at vehicles and aircraft, mine-laying, looting of assets and other hostile acts, and, in that context, welcoming the statement by the President of the Security Council on 12 March 1997 on security of United Nations operations,[44]

Guided by the relevant principles on protection contained in the Convention on the Privileges and Immunities of the United Nations,[45] the Convention on the Privileges and Immunities of the Specialized Agencies[46] and the Convention on the Safety of United Nations and Associated Personnel,[47]

Noting that since its adoption on 9 December 1994, only forty-three Member States have signed the Convention on the Safety of United Nations and Associated Personnel and only fourteen have ratified it,

1. Takes note with appreciation of the report of the Secretary-General on the situation of United Nations personnel and their families[48] and of the developments indicated therein;

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[43] See Official Records of the Economic and Social Council, 1997, Supplement No. 3 (E/1997/23), chap. II, sect. I.

[44] S/PRST/1997/13.

[45] Resolution 22 A (I).

[46] Resolution 179 (II).

[47] Resolution 49/59, annex.

[48] A/52/548.

2. Urges all States:

(a) To respect and ensure respect for the human rights of United Nations and other personnel carrying out activities in fulfilment of the mandate of a United Nations operation, and to take the necessary measures to ensure the safety and security of those personnel, as well as the inviolability of United Nations premises, which are essential to the continuation and successful implementation of United Nations operations;

(b) To ensure the speedy release of United Nations and other personnel carrying out activities in fulfilment of the mandate of a United Nations operation who have been arrested or detained in violation of their immunity, in accordance with the relevant conventions referred to in the present resolution and applicable international humanitarian law;

3. Calls upon all States:

(a) To consider becoming parties to the Convention on the Safety of United Nations and Associated Personnel;[47]

(b) To provide adequate and prompt information concerning the arrest or detention of United Nations and other personnel carrying out activities in fulfilment of the mandate of a United Nations operation;

(c) To grant the representative of the competent international organization immediate and unconditioned access to such personnel;

(d) To allow independent medical teams to investigate the health of detained United Nations and other personnel carrying out activities in fulfilment of the mandate of a United Nations operation, and to afford them the necessary medical assistance;

(e) To allow representatives of the competent international organization concerned to attend hearings involving United Nations and other personnel carrying out activities in fulfilment of the mandate of a United Nations operation, provided that such attendance is consistent with domestic law;

4. Decides to request the Secretary-General:

(a) To take the necessary measures to ensure full respect for the human rights, privileges and immunities of United Nations and other personnel carrying out activities in fulfilment of the mandate of a United Nations operation, and when those human rights, privileges and immunities are violated, to ensure that such personnel are restored to their organization, and, where appropriate, to seek redress and compensation for the damage caused to them;

(b) To consider ways and means, until the Convention has entered into force, to strengthen the protection of United Nations and other personnel carrying out activities in fulfilment of the mandate of a United Nations operation, notably by seeking the inclusion, in negotiations of headquarters and other mission agreements concerning United Nations and associated personnel, of the applicable conditions contained in the Convention on the Privileges and

Immunities of the United Nations,[45] the Convention on the Privileges and Immunities of the Specialized Agencies,[46] and the Convention on the Safety of United Nations and Associated Personnel;[47]

(c) To take the necessary measures, falling within his responsibilities, to ensure that security matters are an integrated part of the planning for an operation, and that such precautions extend to all United Nations and other personnel carrying out activities in fulfilment of the mandate of a United Nations operation;

(d) To take the necessary measures to ensure that United Nations and other personnel carrying out activities in fulfilment of the mandate of a United Nations operation be properly informed and suitably trained so as to enhance their security and effectiveness in accomplishing their functions;

(e) To take the necessary measures to ensure that United Nations and other personnel carrying out activities in fulfilment of the mandate of a United Nations operation be properly informed about the scope of that mandate and the standards, including those contained in relevant domestic and international law, that they are required to meet;

(f) To make available to the Commission on Human Rights at its fifty-fourth session the independent study that was requested at its fifty-third session on the safety and security problems faced by United Nations and other personnel carrying out activities in the fulfilment of the mandate of a United Nations operation;

(g) To submit to the General Assembly at its fifty-third session a report on the situation of United Nations and other personnel carrying out activities in fulfilment of the mandate of a United Nations operation who are imprisoned, missing or held in a country against their will, on cases that have been successfully settled, and on the implementation of the measures referred to in the present resolution.

DRAFT RESOLUTION IX

United Nations Decade for Human Rights Education, 1995-2004, and public information activities in the field of human rights

The General Assembly,

Guided by the fundamental and universal principles enshrined in the Charter of the United Nations and the Universal Declaration of Human Rights,[49] according to article 26 of which "education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms", and the provisions of other international human rights instruments, such as those of article 13 of the International Covenant on

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[49] Resolution 217 A (III).

Economic, Social and Cultural Rights,[50] article 10 of the Convention on the Elimination of All Forms of Discrimination against Women,[51] article 7 of the International Convention on the Elimination of All Forms of Racial Discrimination,[52] article 29 of the Convention on the Rights of the Child,[53] article 10 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,[54] and paragraphs 78 to 82 of the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,[55] which reflect the aims of the aforementioned article,

Recalling the relevant resolutions adopted by the General Assembly and the Commission on Human Rights concerning the United Nations Decade for Human Rights Education, 1995-2004, public information activities in the field of human rights, including the World Public Information Campaign on Human Rights, the project of the United Nations Educational, Scientific and Cultural Organization entitled "Towards a culture of peace", the implementation of and follow-up to the Vienna Declaration and Programme of Action, and the commemoration of the fiftieth anniversary of the Universal Declaration of Human Rights,

Believing that the World Public Information Campaign on Human Rights is a valuable complement to the activities of the United Nations aimed at the further promotion and protection of human rights, and recalling the importance attached by the World Conference on Human Rights to human rights education and information,

Convinced that each woman, man and child, to realize their full human potential, must be made aware of all their human rights and fundamental freedoms,

Convinced also that human rights education should involve more than the provision of information and should constitute a comprehensive lifelong process by which people at all levels of development and in all societies learn respect for the dignity of others and the means and methods of ensuring that respect,

Recognizing that human rights education and information are essential to the realization of human rights and fundamental freedoms and that carefully designed programmes of training, dissemination and information can have a catalytic effect on national, regional and international initiatives to promote and protect human rights and prevent human rights violations,

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[50] See resolution 2200 A (XXI), annex.

[51] Resolution 34/180, annex.

[52] Resolution 2106 A (XX), annex.

[53] Resolution 44/25, annex.

[54] Resolution 39/46, annex.

[55] A/CONF.157/24 (Part I), chap. III.

Convinced that human rights education and information contribute to a concept of development consistent with the dignity of women and men of all ages that takes into account particularly vulnerable segments of society such as children, youth, older persons, indigenous people, minorities, rural and urban poor, migrant workers, refugees, persons with human immunodeficiency virus/acquired immunodeficiency syndrome infection and disabled persons,

Taking into account the efforts to promote human rights education made by educators and non-governmental organizations in all parts of the world, as well as by intergovernmental organizations, including the Office of the United Nations High Commissioner for Human Rights, the United Nations Educational, Scientific and Cultural Organization, the International Labour Organization and the United Nations Children's Fund,

Recognizing the invaluable and creative role that non-governmental and community-based organizations can play in disseminating public information and engaging in human rights education, especially at the grass-roots level and in remote and rural communities,

Aware of the potential supportive role of the private sector in implementing at all levels of society the Plan of Action for the United Nations Decade for Human Rights Education, 1995-2004,[56] and the World Public Information Campaign on Human Rights, through creative initiatives and financial support for governmental and non-governmental activities,

Convinced that the effectiveness of existing human rights education and public information activities would be enhanced by better coordination and cooperation at the national, regional and international levels,

Recalling that it is within the responsibility of the United Nations High Commissioner for Human Rights to coordinate relevant United Nations education and public information programmes in the field of human rights,

Considering that the commemoration of the fiftieth anniversary of the Universal Declaration of Human Rights in 1998 constitutes an invaluable opportunity for all members of the international community to enhance human rights education and information activities throughout the world,

Welcoming the decision of the Subcommission on Prevention of Discrimination and Protection of Minorities to place the question of the right to education, and in particular human rights education, on its agenda for the duration of the Decade,

1. Takes note with appreciation of the report of the Secretary-General[57] on the United Nations Decade for Human Rights Education, 1995-2004, and public information activities in the field of human rights, including the World Public Information Campaign on Human Rights;

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[56] A/51/506/Add.1.

[57] A/52/469 and Add.1.

2. Welcomes the steps taken by Governments and intergovernmental and non-governmental organizations to implement the Plan of Action for the United Nations Decade for Human Rights Education,[56] and to develop public information activities in the field of human rights, as indicated in the report of the Secretary-General;

3. Urges all Governments to contribute further to the implementation of the Plan of Action, in particular by establishing, in accordance with national conditions, broadly representative national committees for human rights education responsible for the development of comprehensive, effective and sustainable national plans of action for human rights education and information, taking into consideration the guidelines for national plans of action for human rights education contained in the addendum to the report of the Secretary-General;[58]

4. Urges Governments to encourage, support and involve national and local non-governmental and community-based organizations in the implementation of their national plans of action;

5. Calls upon Governments, in accordance with their national conditions, to accord priority to the dissemination in their relevant national and local languages of the Universal Declaration of Human Rights,[49] the International Covenants on Human Rights[50] and other human rights instruments, human rights materials and training manuals, as well as reports of States parties under the human rights treaties, and to provide information and education in those languages on the practical ways in which national and international institutions and procedures may be utilized to ensure the effective implementation of those instruments;

6. Requests the United Nations High Commissioner for Human Rights to continue to coordinate and harmonize human rights education and information strategies within the United Nations system, including the implementation of the Plan of Action, and to ensure maximum effectiveness and efficiency in the use, processing, management and distribution of human rights information and educational materials, including through electronic means;

7. Encourages the Office of the United Nations High Commissioner for Human Rights to continue to support national capacities for human rights education and information through its technical cooperation programme in the field of human rights, including the organization of training courses and the development of targeted training materials for professional audiences, as well as the dissemination of human rights information materials as a component of technical cooperation projects;

8. Urges the Office of Communications and Public Information of the Secretariat to continue to utilize United Nations information centres for the timely dissemination, within their designated areas of activity, of basic information, reference and audio-visual materials on human rights and fundamental freedoms, including the reports of States parties under human rights

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[58] A/52/469/Add.1.

instruments and, to this end, to ensure that the information centres are supplied with adequate quantities of those materials;

9. Stresses the need for close collaboration between the Office of the High Commissioner and the Office of Communications and Public Information in the implementation of the Plan of Action and the World Public Information Campaign on Human Rights and the need to harmonize their activities with those of other international organizations such as the United Nations Educational, Scientific and Cultural Organization with regard to its project entitled "Towards a culture of peace" and the International Committee of the Red Cross and relevant non-governmental organizations with regard to the dissemination of information on international humanitarian law;

10. Invites the specialized agencies and relevant United Nations programmes and funds to contribute, within their respective spheres of competence, to the implementation of the Plan of Action and the World Public Information Campaign on Human Rights and to cooperate closely with the Office of the High Commissioner in that regard;

11. Encourages the human rights treaty bodies to place emphasis, when examining reports of States parties, on obligations of States parties in the area of human rights education and information and to reflect this emphasis in their concluding observations;

12. Calls upon international, regional and national non-governmental organizations and intergovernmental organizations, in particular those concerned with women, labour, development, food, housing, education, health care and the environment, as well as all other social justice groups, human rights advocates, educators, religious organizations and the media, to undertake specific activities of formal, non-formal and informal education, including cultural events, alone and in cooperation with the Office of the High Commissioner, in implementing the Plan of Action;

13. Encourages Governments and intergovernmental and non-governmental organizations to undertake human rights education and information initiatives in accordance with the Plan of Action and the World Public Information Campaign on Human Rights as a contribution to the commemoration of the fiftieth anniversary of the Universal Declaration on Human Rights;

14. Encourages the Commission on Human Rights to consider jointly, for the duration of the Decade, the question of the United Nations Decade for Human Rights Education and public information activities in the field of human rights, including the World Public Information Campaign on Human Rights;

15. Requests the Secretary-General, in cooperation with the Office of the High Commissioner, to consider appropriate ways and means, including the possibility of establishing a voluntary fund, to support human rights education activities, including those undertaken by non-governmental organizations;

16. Requests the Secretary-General, through the United Nations High Commissioner for Human Rights, to bring the present resolution to the attention of all members of the international community and to intergovernmental and

non-governmental organizations concerned with human rights education and public information, and to submit to the General Assembly at its fifty-third session a comprehensive report on the implementation of the present resolution for consideration under the item entitled "Human rights questions".

DRAFT RESOLUTION X

National institutions for the promotion and protection of human rights

The General Assembly,

Recalling the relevant resolutions of the General Assembly and the Commission on Human Rights concerning national institutions for the promotion and protection of human rights,

Welcoming the rapidly growing interest shown in all regions in the creation and strengthening of independent, pluralistic national institutions for the promotion and protection of human rights,

Convinced of the important role such national institutions play in promoting and protecting human rights and fundamental freedoms and in developing and enhancing public awareness of those rights and freedoms,

Recognizing that the United Nations has played and should continue to play an important role in assisting the development of national institutions,

Recalling that, in its resolution 48/134 of 20 December 1993, the Assembly welcomed the principles relating to the status of national institutions for the promotion and protection of human rights, annexed to that resolution,

Recalling the Vienna Declaration and Programme of Action[59] adopted by the World Conference on Human Rights, which reaffirmed the important and constructive role played by national human rights institutions, in particular in their advisory capacity to the competent authorities and their role in remedying human rights violations, in disseminating information on human rights and in education in human rights,

Recalling also the Platform for Action[60] adopted by the Fourth World Conference on Women, in which Governments were urged to create or strengthen independent national institutions for the promotion and protection of human rights, including the human rights of women,

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[59] A/CONF.157/24 (Part I), chap. III.

[60] Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995 (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annex II.

Noting the diverse approaches adopted throughout the world for the protection and promotion of human rights at the national level, emphasizing the universality, indivisibility and interdependence of all human rights, and emphasizing and recognizing the value of such approaches to promoting universal respect for and observance of human rights and fundamental freedoms,

Noting with satisfaction the constructive participation of representatives of national institutions for the promotion and protection of human rights in, and their positive contribution to, the deliberations of the World Conference on Human Rights, the Commission on Human Rights, as well as international seminars and workshops on human rights organized or sponsored by the United Nations,

Welcoming the strengthening of regional cooperation among national human rights institutions and, in particular, the First African Conference on National Human Rights Institutions, held at Yaoundé, in February 1996, the Second International Workshop on Ombudsman and Human Rights Institutions, held at Chisinau, Republic of Moldova, in May 1996, the first meeting of the Asia-Pacific Forum of National Human Rights Institutions, held at Darwin, Australia, in July 1996, the Second European Meeting of National Institutions for the Promotion and Protection of Human Rights, held at Copenhagen in January 1997, the Third International Workshop on Ombudsman and National Human Rights Institutions, held at Riga in June 1997, and the second meeting of the Asia-Pacific Forum of National Human Rights Institutions, held at New Delhi in September 1997, as well as the holding of the Fourth International Workshop on Ombudsman and National Human Rights Institutions, at Mérida, Mexico, in November 1997,

1. Welcomes the report of the Secretary-General;[61]

2. Reaffirms the importance of the development of effective, independent and pluralistic national institutions for the promotion and protection of human rights, in keeping with the principles relating to the status of national institutions for the promotion and protection of human rights contained in the annex to General Assembly resolution 48/134;

3. Recognizes that, in accordance with the Vienna Declaration and Programme of Action, it is the right of each State to choose the framework for the national institution that is best suited to its particular needs at the national level in order to promote human rights in accordance with international human rights standards;

4. Encourages Member States to establish or, where they already exist, to strengthen national institutions for the promotion and protection of human rights, as outlined in the Vienna Declaration and Programme of Action;

5. Welcomes the growing number of States establishing, or considering the establishment of, national institutions for the promotion and protection of human rights, and the intensified activities of the Office of the United Nations

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[61] A/52/468.

High Commissioner for Human Rights in promoting and strengthening national institutions;

6. Encourages national institutions for the promotion and protection of human rights established by Member States to prevent and combat all violations of human rights as enumerated in the Vienna Declaration and Programme of Action and relevant international instruments;

7. Reaffirms the role of national institutions, where they exist, as appropriate agencies, inter alia, for the dissemination of human rights materials and other public information activities, including those of the United Nations, and encourages national institutions to play an active role in the celebrations marking the fiftieth anniversary of the Universal Declaration of Human Rights at the national and local levels;

8. Urges the Secretary-General to continue to give high priority to requests from Member States for assistance in the establishment and strengthening of national human rights institutions as part of the programme of advisory services and technical assistance in the field of human rights;

9. Welcomes the high priority given by the Office of the United Nations High Commissioner for Human Rights to work on national institutions, encourages the High Commissioner to ensure that appropriate arrangements are made and budgetary resources provided to continue and further extend activities in support of national human rights institutions, and invites Governments to contribute additional, earmarked funds to the United Nations Voluntary Fund for Technical Cooperation in the Field of Human Rights for that purpose;

10. Notes the role of the Coordinating Committee created by national institutions, as recognized in Commission on Human Rights resolution 1994/54 of 4 March 1994,[62] in close cooperation with the Office of the United Nations High Commissioner for Human Rights, to assist Governments and national institutions, when requested, to follow up on relevant resolutions and recommendations concerning the strengthening of national institutions;

11. Requests the Secretary-General to continue to provide the necessary assistance for holding meetings of the Coordinating Committee during the sessions of the Commission on Human Rights, in cooperation with the Office of the United Nations High Commissioner for Human Rights;

12. Also requests the Secretary-General to continue to provide, from within existing resources and from the United Nations Voluntary Fund for Technical Cooperation in the Field of Human Rights, the necessary assistance for regional meetings of national institutions;

13. Notes the importance of resolving the question of finding an appropriate form of participation by independent national institutions in meetings of the Commission on Human Rights and its subsidiary bodies;

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[62] See Official Records of the Economic and Social Council, 1994, Supplement No. 4 (E/1994/24), chap. II, sect. A.

14. Recognizes the important and constructive role that non-governmental organizations may play, in cooperation with national institutions, for the better promotion and protection of human rights;

15. Encourages all Member States to take appropriate steps to promote the exchange of information and experience concerning the establishment and effective operation of such national institutions;

16. Requests the Secretary-General to report to the General Assembly at its fifty-fourth session on the implementation of the present resolution.

DRAFT RESOLUTION XI

Strengthening the role of the United Nations in enhancing the effectiveness of the principle of periodic and genuine elections and the promotion of democratization

The General Assembly,

Recalling its previous resolutions on the subject, in particular resolutions 50/185 of 22 December 1995 and 49/190 of 23 December 1994,

Reaffirming that United Nations electoral assistance and support for the promotion of democratization are provided only at the specific request of the Member State concerned,

Recognizing the usefulness of a comprehensive and balanced approach in the activities carried out by the United Nations in this field in order to contribute to the strengthening of both democracy and all human rights within the country concerned,

Acknowledging that United Nations electoral assistance has facilitated the holding of successful elections in several Member States which resulted in the orderly and non-violent assumption of office by elected officials, recognizing that elections can be free and fair only if held free of coercion and intimidation, and underlining the importance of respect for the results of elections that have been verified as free and fair,

Taking note of the progress review and recommendations adopted by the Third International Conference of New or Restored Democracies on Democracy and Development,[63] held at Bucharest, Romania, from 2 to 4 September 1997, in particular the recognition that the organization and administration of elections in the new or restored democracies often benefit from the help of outside resources and expertise and the request that higher priority be given in resource allocation to governance, democracy and participation programmes in order to sustain the momentum of current progress in holding elections,

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[63] A/52/334, annex, appendix.

Recalling the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,[64] in particular the recognition therein that assistance provided upon the request of Governments for the conduct of free and fair elections is of particular importance in the strengthening of a pluralistic civil society,

Noting the establishment of the Association of African Election Authorities, which held its founding meeting at Kampala, Uganda, from 14 to 16 January 1997,

Welcoming the support provided by States to the electoral assistance activities of the United Nations, inter alia, through the provision of electoral experts and observers, as well as through contributions to the United Nations Trust Fund for Electoral Observation,

Noting the continuing submission and evolving nature of requests for electoral assistance by Member States,

Noting also that first-time democratic elections have already been held in many Member States, creating a need for reassessment and adaptation of the forms of assistance routinely provided previously, in particular to meet the needs of supporting subsequent elections,

Recognizing the need for strengthening national capacity-building, electoral institutions and civic education in the requesting countries in order to consolidate and regularize the achievements of previous elections,

Having considered the report of the Secretary-General on enhancing the effectiveness of the principle of periodic and genuine elections,[65]

1. Takes note with appreciation of the report of the Secretary-General on United Nations activities aimed at enhancing the effectiveness of the principle of periodic and genuine elections;[65]

2. Commends the electoral assistance provided to Member States at their request by the United Nations, and requests that such assistance continue on a case-by-case basis in accordance with the guidelines on electoral assistance, recognizing that the fundamental responsibility of organizing free and fair elections lies with Governments;

3. Requests the Electoral Assistance Division of the Department of Political Affairs of the Secretariat to continue to inform Member States on a regular basis about the requests received, responses given to those requests and the nature of the assistance provided;

4. Requests that the United Nations continue its efforts to ensure, before undertaking to provide electoral assistance to a requesting State, that

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[64] A/CONF.157/24 (Part I), chap. III.

[65] A/52/474.

there is adequate time to organize and carry out an effective mission for providing such assistance, that conditions exist to allow a free and fair election and that provisions can be made for adequate and comprehensive reporting of the results of the mission;

5. Commends the steps taken by the United Nations to ensure the continuation and consolidation of the democratization process in certain Member States requesting assistance, including the provision of technical advice on such issues as, inter alia, election organization and budgets, electoral laws, domestic procurement, training, computerization and comparative electoral systems, before and after elections have taken place, and needs-assessment missions aimed at recommending programmes that might contribute to the consolidating of the democratization process, and requests that such efforts be strengthened;

6. Recommends that the Electoral Assistance Division continue to provide post-election assistance, as appropriate, to requesting States and electoral institutions, in order to contribute to the sustainability of their electoral processes, as provided for in the report of the Secretary-General, and that it study, in cooperation with relevant United Nations offices, ways of defining more clearly the activities related to democratic consolidation that the United Nations might usefully undertake in assisting the efforts of interested States in this regard;

7. Also recommends that United Nations electoral assistance be geared towards comprehensive observation of the electoral process, beginning with registration and other pre-election activities and continuing through the campaign, election day and the announcement of the election results, in instances where more than technical assistance is required by the requesting State;

8. Requests the Secretary-General to take further steps to support States that request assistance by, inter alia, enabling the United Nations High Commissioner for Human Rights, in accordance with her mandate, to support democratization activities related to human rights concerns, including, inter alia, human rights training and education, assistance for human rights-related legislative reform, strengthening and reform of the judiciary, assistance to national human rights institutions and advisory services on treaty accession, reporting and international obligations as related to human rights;

9. Requests the United Nations Development Programme to continue its commendable programmes of assistance for governance, in particular those for strengthening democratic institutions, and participation and linkages between concerned sectors of society and Governments;

10. Recalls the establishment by the Secretary-General of the United Nations Trust Fund for Electoral Observation, and calls upon Member States to consider contributing to the Fund;

11. Stresses the importance of reinforced coordination within the United Nations system, including cooperation with all relevant departments within the United Nations Secretariat, the Office of the United Nations High Commissioner

for Human Rights, the United Nations Development Programme and the United Nations Volunteers, which provide advisory services and technical assistance to requesting Member States, underlines the need for the prompt exchange of information concerning requests for electoral assistance by Member States directed to any of the aforementioned entities, and encourages the Electoral Assistance Division to strengthen its collaboration with those entities, including through an exchange of personnel when appropriate;

12. Notes with appreciation additional efforts being made to enhance cooperation with other international, governmental and non-governmental organizations in order to facilitate more comprehensive and need-specific responses to requests for electoral assistance, and expresses appreciation to those Member States, regional organizations and non-governmental organizations that have provided observers or technical experts in support of United Nations electoral assistance efforts;

13. Encourages the Secretary-General, through the Electoral Assistance Division, to respond to the evolving nature of requests for assistance and the growing need for specific types of medium-term expert assistance aimed at supporting and strengthening the existing capacity of the requesting Government, in particular through enhancing the capacity of national electoral institutions;

14. Requests the Secretary-General to provide the Electoral Assistance Division with adequate human and financial resources to allow it to carry out its mandate, and to continue to ensure that the Office of the United Nations High Commissioner for Human Rights is able to respond, within its mandate and in close coordination with the Electoral Assistance Division, to the increasing number of requests from Member States for advisory services;

15. Recommends that the Secretary-General consider ways to continue to improve coordination and to strengthen further the efforts of the Electoral Assistance Division, the Office of the United Nations High Commissioner for Human Rights and the United Nations system in general to respond to its increased and evolving responsibilities in the field of electoral assistance and democratization as reflected in the present resolution, and to include his recommendations in this regard in his report to the General Assembly at its fifty-fourth session;

16. Requests the Secretary-General to report to the General Assembly at its fifty-fourth session on the implementation of the present resolution, in particular on the status of requests from Member States for electoral assistance and verification, and on his efforts to enhance the Organization's support of the democratization process in Member States.

DRAFT RESOLUTION XII

Protection of and assistance to internally displaced persons

The General Assembly,

Deeply disturbed by the alarmingly high numbers of internally displaced persons throughout the world who receive inadequate protection and assistance, and conscious of the serious problem this is creating for the international community,

Conscious of the human rights and the humanitarian dimensions of the problem of internally displaced persons and responsibilities this poses for States and the international community to explore methods and means better to address their protection and assistance needs,

Recalling the relevant norms of international human rights instruments, of international humanitarian law and analogous refugee law, and emphasizing the need for their better implementation with regard to internally displaced persons,

Recalling also the emphasis in the Vienna Declaration and Programme of Action[66] on the need to develop global strategies to address the problem of internal displacement,

Noting the progress made thus far by the representative of the Secretary-General on internally displaced persons in developing a legal framework, analysing institutional arrangements, undertaking dialogue with Governments and issuing a series of reports on particular country situations together with proposals for remedial measures,

Welcoming the request made by the Commission on Human Rights, in its resolution 1997/39 of 11 April 1997,[67] to the Secretary-General to ensure the rapid publication and the wide dissemination of the compilation and analysis of legal norms prepared by his representative,

Welcoming also the decision by the Inter-Agency Standing Committee to extend a standing invitation to the representative of the Secretary-General on internally displaced persons to participate in its meetings and those of its subsidiary bodies, and encouraging further strengthening of this collaboration in order to promote better assistance, protection and development strategies for internally displaced persons,

Recalling its resolution 50/195 of 22 December 1995,

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[66] A/CONF.157/24 (Part I), chap. III.

[67] See Official Records of the Economic and Social Council, 1997, Supplement No. 3 (E/1997/23), chap. II, sect. A.

1. Takes note with appreciation of the report of the representative of the Secretary-General on internally displaced persons;[68]

2. Commends the representative of the Secretary-General for the activities undertaken so far, despite the limited resources available to him, and for the catalytic role he continues to play to raise the level of consciousness about the plight of internally displaced persons;

3. Encourages the representative of the Secretary-General to continue his analysis of the causes of internal displacement, the needs of those displaced, measures of prevention and ways to increase protection, assistance and solutions for internally displaced persons;

4. Also encourages the representative of the Secretary-General to continue to pay specific attention in his review to the protection and assistance needs of women and children, bearing in mind the relevant strategic objective in the Beijing Declaration and the Platform for Action;[69]

5. Looks forward to the comprehensive study being prepared by the representative of the Secretary-General to promote a comprehensive strategy for better protection, assistance and development for internally displaced persons;

6. Welcomes Commission on Human Rights resolution 1997/39,[67] in which the Commission encouraged the representative of the Secretary-General to continue, on the basis of his compilation and analysis of legal norms, to develop a comprehensive framework for the protection of internally displaced persons, and takes note of his preparations for guiding principles to this end;

7. Calls upon all Governments to continue to facilitate the activities of the representative of the Secretary-General, in particular Governments with situations of internal displacement, encourages them to give serious consideration to inviting the representative to visit their countries so as to enable him to study and analyse more fully the issues involved, and thanks those Governments which have already done so;

8. Invites Governments to give due consideration, in dialogue with the representative of the Secretary-General, to the recommendations and suggestions made to them by him, in accordance with his mandate, and to inform him of measures taken thereon;

9. Urges all relevant United Nations humanitarian assistance and development organizations concerned to enhance their collaboration with the representative of the Secretary-General by developing frameworks of cooperation to promote protection, assistance and development for internally displaced persons and to provide all possible assistance and support to him;

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[68] A/52/506, annex.

[69] Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995 (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

10. Also urges those organizations, especially through the Inter-Agency Standing Committee, to develop a more comprehensive and coherent system of collecting data on the situation of internally displaced persons, in cooperation with the representative of the Secretary-General;

11. Requests the Secretary-General to give all necessary assistance to the representative to carry out his mandate effectively;

12. Decides to continue its consideration of this question at its fifty-fourth session.

DRAFT RESOLUTION XIII

Strengthening of United Nations action in the field of human rights through the promotion of international cooperation and the importance of non-selectivity, impartiality and objectivity

The General Assembly,

Bearing in mind that among the purposes of the United Nations are those of developing friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples and taking other appropriate measures to strengthen universal peace, as well as achieving international cooperation in solving international problems of an economic, social, cultural or humanitarian character and in promoting and encouraging respect for human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

Desirous of achieving further progress in international cooperation in promoting and encouraging respect for human rights and fundamental freedoms,

Deeply convinced that United Nations action in this field should be based not only on a profound understanding of the broad range of problems existing in all societies but also on full respect for the political, economic and social realities of each of them, in strict compliance with the purposes and principles of the Charter of the United Nations and for the basic purpose of promoting and encouraging respect for human rights and fundamental freedoms through international cooperation,

Reaffirming all its resolutions in this regard,

Reaffirming also the importance of ensuring the universality, objectivity and non-selectivity of the consideration of human rights issues, as affirmed in the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights on 25 June 1993,[70]

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[70] A/CONF.157/24 (Part I), chap. III.

Affirming the importance of the objectivity, independence and discretion of the special rapporteurs and representatives on thematic issues and countries, as well as of the members of the working groups, in carrying out their mandates,

Underlining the obligation that Governments have to promote and protect human rights and to carry out the responsibilities that they have undertaken under international law, especially the Charter, as well as various international instruments in the field of human rights,

1. Reiterates that, by virtue of the principle of equal rights and self-determination of peoples enshrined in the Charter of the United Nations, all peoples have the right freely to determine, without external interference, their political status and to pursue their economic, social and cultural development, and that every State has the duty to respect that right within the provisions of the Charter, including respect for territorial integrity;

2. Reaffirms that it is a purpose of the United Nations and the task of all Member States, in cooperation with the Organization, to promote and encourage respect for human rights and fundamental freedoms and to remain vigilant with regard to violations of human rights wherever they occur;

3. Calls upon all Member States to base their activities for the protection and promotion of human rights, including the development of further international cooperation in this field, on the Charter of the United Nations, the Universal Declaration of Human Rights,[71] the International Covenant on Economic, Social and Cultural Rights,[72] the International Covenant on Civil and Political Rights,[72] and other relevant international instruments, and to refrain from activities that are inconsistent with that international framework;

4. Considers that international cooperation in this field should make an effective and practical contribution to the urgent task of preventing mass and flagrant violations of human rights and fundamental freedoms for all and to the strengthening of international peace and security;

5. Reaffirms that the promotion, protection and full realization of all human rights and fundamental freedoms, as legitimate concerns of the world community, should be guided by the principles of non-selectivity, impartiality and objectivity, and should not be used for political ends;

6. Underlines the importance of the promotion of dialogue on human rights issues;

7. Emphasizes that all human rights are universal, indivisible and interdependent and interrelated, and that, as such, the international community must treat them globally in a fair and equal manner, on the same footing, and with the same emphasis;

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[71] Resolution 217 A (III).

[72] Resolution 2200 A (XXI), annex.

8. Requests all human rights bodies within the United Nations system, as well as the special rapporteurs and representatives, independent experts and working groups, to take duly into account the contents of the present resolution in carrying out their mandates;

9. Expresses its conviction that an unbiased and fair approach to human rights issues contributes to the promotion of international cooperation as well as to the effective promotion, protection and realization of human rights and fundamental freedoms;

10. Stresses, in this context, the continuing need for impartial and objective information on the political, economic and social situations and events of all countries;

11. Invites Member States to consider adopting, as appropriate, within the framework of their respective legal systems and in accordance with their obligations under international law, especially the Charter, and international human rights instruments, the measures that they may deem appropriate to achieve further progress in international cooperation in promoting and encouraging respect for all human rights and fundamental freedoms for all;

12. Requests the Commission on Human Rights to take duly into account the present resolution and to consider further proposals for the strengthening of United Nations action in the field of human rights through the promotion of international cooperation and the importance of non-selectivity, impartiality and objectivity;

13. Reiterates its request to the Secretary-General to consult Member States, intergovernmental organizations and non-governmental organizations on ways and means for the strengthening of United Nations action in the field of human rights, including the promotion of international cooperation and the importance of non-selectivity, impartiality and objectivity, and to submit a comprehensive report on this issue to the General Assembly at its fifty-third session;

14. Decides to consider this matter at its fifty-third session under the item entitled "Human rights questions".

DRAFT RESOLUTION XIV

Human rights and mass exoduses

The General Assembly,

Deeply disturbed by the scale and magnitude of exoduses and displacements of people in many regions of the world and by the human suffering of refugees and displaced persons,

Recalling its previous relevant resolutions, as well as those of the Commission on Human Rights, in particular Commission resolution 1997/75 of

18 April 1997,[73] and the conclusions of the World Conference on Human Rights,[74] which recognized that gross violations of human rights, including in armed conflicts, are among the multiple and complex factors leading to displacement of people,

Noting with satisfaction the participation of the United Nations High Commissioner for Human Rights in the framework for coordination activities and projects organized by the United Nations system aimed at evolving a comprehensive approach to address root causes and effects of movements of refugees and other displaced persons and the strengthening of emergency preparedness and responsible mechanisms,

Conscious of the fact that mass exoduses of populations are caused by multiple and complex factors, which may include human rights violations, political, ethnic and economic conflicts, famine, insecurity, violence, poverty and environmental degradation, which indicate that comprehensive approaches, particularly early warning, require an intersectoral and multidisciplinary approach to enable a coherent response, particularly at the international and regional levels,

Recognizing that the human rights machinery of the United Nations, including the mechanisms of the Commission on Human Rights and the human rights treaty bodies, has important capabilities to address human rights violations which cause movements of refugees and displaced persons or prevent durable solutions to their plight,

Convinced that the activities of these mechanisms, with a view, inter alia, to preventing mass exoduses and to strengthening emergency preparedness and response mechanisms of the United Nations system as a whole, should be encouraged and further developed and coordinated at both the international and regional levels, with priority given to the systematization of the early-warning information collection,

Welcoming the continuation of inter-agency consultations on early warning of mass flows of refugees, pursuant to the decision of the Administrative Committee on Coordination, with the purpose of serving both prevention of and preparedness for humanitarian emergencies,

Recognizing the complementarity between the systems for the protection of human rights and for humanitarian action, and that the work of humanitarian agencies makes an important contribution to the achievement of human rights,

Welcoming further the cooperation between the United Nations High Commissioner for Human Rights, the Office of the United Nations High Commissioner for Refugees, the United Nations Development Programme and other

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[73] See Official Records of the Economic and Social Council, 1997, Supplement No. 3 (E/1997/23), chap. II, sect. A.

[74] A/CONF.157/24 (Part I), chap. III.

relevant United Nations entities to ensure effective coordination of activities within their mandates and expertise with respect to returnee promotion and monitoring, technical advice, institution-building and rehabilitation activities,

Recognizing that women and children constitute the majority of most refugee populations and that, in addition to the problems they share in common with all refugees, women and girls in such circumstances are vulnerable to gender-based discrimination and gender-specific violations of human rights,

Recalling that States parties to the 1951 Convention relating to the Status of Refugees[75] undertake, under article 35, to provide information on the implementation of the Convention to the Office of the United Nations High Commissioner for Refugees, as was recalled in the general conclusions on international protection adopted by the Executive Committee of the Programme of the United Nations High Commissioner for Refugees in 1995 (No. 77 (XLVI)), 1996 (No. 79 (XLVII)) and 1997 (No. 81 (XLVIII)),

Distressed at the widespread violation of the principle of non-refoulement and of the rights of refugees, in some cases resulting in loss of refugee lives, and at reports indicating that large numbers of refugees and asylum-seekers have been refouled and expelled in highly dangerous situations, and recalling that the principle of non-refoulement is not subject to derogation,

Recalling all relevant human rights standards, including the Universal Declaration of Human Rights,[76] the principles of international protection for refugees and the general conclusions of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees on international protection, and that asylum applicants should have access to fair and expeditious status-determination procedures,

Welcoming the continuing efforts of the United Nations High Commissioner for Refugees in meeting the protection and assistance needs of refugees worldwide and in working to make it possible for refugees to exercise their fundamental right to return to and to stay in their own countries, in safety and dignity,

1. Takes note of the report of the Secretary-General;[77]

2. Recalls with satisfaction its endorsement, in its resolution 41/70 of 3 December 1986, of the call upon all States to promote human rights and fundamental freedoms and to refrain from denying these to individuals in their population because of nationality, ethnicity, race, religion or language, and urges States to refrain from denying them because of gender;

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[75] United Nations, Treaty Series, vol. 189, No. 2545.

[76] Resolution 217 A (III).

[77] A/52/494.

3. Strongly deplores ethnic and other forms of intolerance as one of the major causes of forced migratory movements, and urges States to take all necessary steps to ensure respect for human rights, especially the rights of persons belonging to minorities;

4. Invites again all Governments and regional, intergovernmental and humanitarian organizations concerned, where appropriate, to intensify their cooperation and assistance in worldwide efforts to address the serious problems resulting from mass exoduses of refugees and displaced persons and the causes of such exoduses;

5. Emphasizes the responsibility of all States and international organizations to cooperate with those countries, particularly developing ones, affected by mass exoduses of refugees and displaced persons and calls on Governments and the United Nations High Commissioner for Human Rights to continue to respond to assistance needs of countries hosting large numbers of refugees until durable solutions are found;

6. Urges all bodies involved in inter-agency consultations on early warning to cooperate fully in, and to increase the necessary commitment and resources to, the successful operation of the consultations;

7. Invites the special rapporteurs, special representatives and working groups of the Commission on Human Rights and the United Nations human rights treaty bodies, acting within their mandates, to seek information, where appropriate, on human rights problems which may result in mass exoduses of populations or impede their voluntary return home and, where appropriate, to include such information, together with recommendations thereon, in their reports, and to bring such information to the attention of the United Nations High Commissioner for Human Rights for appropriate action in fulfilment of her mandate, in consultation with the United Nations High Commissioner for Refugees;

8. Requests all United Nations bodies, including the human rights treaty bodies, acting within their mandates, the specialized agencies, and governmental, intergovernmental and non-governmental organizations, to cooperate fully with all mechanisms of the Commission on Human Rights and, in particular, to provide them with all relevant information in their possession on the human rights situations creating or affecting refugees and displaced persons;

9. Requests the United Nations High Commissioner for Human Rights, in the exercise of her mandate, as set out in General Assembly resolution 48/141 of 20 December 1993, to coordinate human rights activities throughout the United Nations system and, in cooperation with the United Nations High Commissioner for Refugees, to pay particular attention to situations which cause or threaten to cause mass exoduses and to contribute to efforts to address such situations effectively through protection measures, emergency preparedness and response mechanisms, including information sharing with the United Nations early-warning mechanisms, and the provision of technical advice, expertise and cooperation in countries of origin as well as host countries;

10. Welcomes the efforts of the United Nations High Commissioner for Human Rights to contribute to the creation of an environment viable for return in

post-conflict societies through initiatives such as the rehabilitation of the justice system, the creation of national institutions capable of defending human rights, and broad-based programmes of human rights education, and strengthening of local non-governmental organizations through programmes of advisory services and technical cooperation;

11. Urges the Secretary-General to give high priority and to allocate the necessary resources within the regular budget of the United Nations for the consolidation and strengthening of emergency preparedness and response mechanisms, including early-warning activities in the humanitarian area, for the purpose of ensuring, inter alia, that effective action is taken to identify all human rights abuses which contribute to mass outflows of persons, and to invite comments on this issue;

12. Welcomes with appreciation the contributions of the United Nations High Commissioner for Refugees to the deliberations by the Commission on Human Rights at its fifty-third session and to other international human rights bodies and mechanisms, and the invitation to her to address the Commission at its fifty-fourth session;

13. Encourages States that have not already done so to consider acceding to the 1951 Convention relating to the Status of Refugees[75] and its Protocol of 1967[76] and to other relevant regional refugee instruments, as applicable, and relevant international human rights instruments;

14. Notes with appreciation that a number of States not parties to the 1951 Convention and its Protocol of 1967 continue to maintain a generous approach to asylum;

15. Encourages States parties to the 1951 Convention relating to the Status of Refugees to provide information to the Office of the United Nations High Commissioner for Refugees, in accordance with article 35 of the Convention;

16. Calls upon States to ensure effective protection of refugees through, inter alia, respecting the principle of non-refoulement;

17. Requests the Secretary-General to prepare and submit to the General Assembly at its fifty-fourth session a report on the implementation of the present resolution as it pertains to all aspects of human rights and mass exoduses, including detailed information on the programmatic, institutional, administrative, financial and management efforts instituted to enhance the capacity of the United Nations to avert new flows of refugees and to tackle the root causes of such flows;

18. Decides to continue its consideration of this question at its fifty-fourth session.

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[75] United Nations, Treaty Series, vol. 606, No. 8791.

DRAFT RESOLUTION XV

Human rights and terrorism

The General Assembly,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights,[79] the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations[80] and the International Covenants on Human Rights,[81]

Recalling the Declaration on the Occasion of the Fiftieth Anniversary of the United Nations,[82]

Recalling also the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights on 25 June 1993,[83]

Recalling further its resolutions 48/122 of 20 December 1993, 49/185 of 23 December 1994 and 50/186 of 22 December 1995,

Recalling further previous resolutions on human rights and terrorism of the Commission on Human Rights and the Subcommission on Prevention of Discrimination and Protection of Minorities,

Taking into account the fact that acts of terrorism in all its forms and manifestations aimed at the destruction of human rights have continued despite national and international efforts,

Bearing in mind that the most essential and basic human right is the right to life,

Bearing in mind also that terrorism creates an environment that destroys the freedom from fear of the people,

Reiterating that all States have an obligation to promote and protect all human rights and fundamental freedoms, and also that every individual should strive to secure their universal and effective recognition and observance,

Seriously concerned at the gross violations of human rights perpetrated by terrorist groups,

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[79] Resolution 217 A (III).

[80] Resolution 2625 (XXV), annex.

[81] Resolution 2200 A (XXI), annex.

[82] See resolution 50/6.

[83] A/CONF.157/24 (Part I), chap. III.

Profoundly deploring the increasing number of innocent persons, including women, children and the elderly, killed, massacred and maimed by terrorists in indiscriminate and random acts of violence and terror, which cannot be justified under any circumstances,

Noting with great concern the growing connection between the terrorist groups and other criminal organizations engaged in the illegal traffic in arms and drugs at the national and international levels, as well as the consequent commission of serious crimes such as murder, extortion, kidnapping, assault, taking of hostages and robbery,

Mindful of the need to protect human rights of and guarantees for the individual in accordance with the relevant human rights principles and instruments, particularly the right to life,

Reaffirming that all measures to counter terrorism must be in strict conformity with the relevant provisions of international law including international human rights standards,

1. Expresses its solidarity with the victims of terrorism;

2. Condemns the violations of the right to live free from fear and of the right to life, liberty and security;

3. Reiterates its unequivocal condemnation of the acts, methods and practices of terrorism, in all its forms and manifestations, as aimed at the destruction of human rights, fundamental freedoms and democracy, threatening the territorial integrity and security of States, destabilizing legitimately constituted Governments, undermining pluralistic civil society and having adverse consequences for the economic and social development of States;

4. Calls upon States to take all necessary and effective measures in accordance with relevant provisions of international law, including international human rights standards, to prevent, combat and eliminate terrorism in all its forms and manifestations, wherever and by whomever committed;

5. Urges the international community to enhance cooperation at regional and international levels in the fight against terrorism in accordance with relevant international instruments, including those relating to human rights, with the aim of its eradication;

6. Condemns incitement of ethnic hatred, violence and terrorism;

7. Requests the Secretary-General to continue to seek the views of Member States on the possible establishment of a voluntary fund for the victims of terrorism, as well as ways and means to rehabilitate the victims of terrorism and to reintegrate them into society;

8. Also requests the Secretary-General to seek the views of Member States on the implications of terrorism, in all its forms and manifestations, for the full enjoyment of all human rights and fundamental freedoms, and to submit a report on the subject to the General Assembly at its fifty-fourth session;

9. Decides to consider this question at its fifty-fourth session under the item entitled "Human rights questions".

DRAFT RESOLUTION XVI

Enhancement of international cooperation in the field of human rights

The General Assembly,

Reaffirming its commitment to promoting international cooperation, as set forth in the Charter of the United Nations, in particular Article 1, paragraph 3, as well as relevant provisions of the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,[84] for enhancing genuine cooperation among Member States in the field of human rights,

Recognizing that the enhancement of international cooperation in the field of human rights is essential for the full achievement of the purposes of the United Nations, including the effective promotion and protection of all human rights,

Reaffirming the importance of ensuring the universality, objectivity and non-selectivity of the consideration of human rights issues, and underlining the importance of the promotion of dialogue on human rights issues,

Taking note of the adoption of the resolution entitled "Promotion of dialogue on human rights issues" by the Subcommission on Prevention of Discrimination and Protection of Minorities of the Commission on Human Rights at its forty-ninth session,

1. Welcomes the statement made by the Chairman of the Commission on Human Rights at the 70th meeting of its fifty-third session, on 18 April 1997;[85]

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[84] A/CONF.157/24 (Part I), chap. III.

[85] "With a view to enhancing its effectiveness in promoting and protecting human rights, the Commission on Human Rights, at its 70th meeting, on 18 April 1997, recognizing the importance of cooperation and consultation, as well as consensus-building, affirmed that, as far as possible, decisions should be made and resolutions adopted without a vote. However, voting, in accordance with the rules of procedure, should take place when an agreement cannot be reached.

"The Commission takes note of the results achieved in this field during its fifty-second and fifty-third sessions.

"The Commission will continue to keep this matter under review."
(Official Records of the Economic and Social Council, 1997, Supplement No. 3 (E/1997/23), para. 34)

2. Calls upon Member States, intergovernmental organizations and specialized agencies to continue to carry out constructive dialogue and consultations for the enhancement of understanding and the promotion and protection of all human rights and fundamental freedoms, and encourages non-governmental organizations to contribute actively to this endeavour;

3. Notes with appreciation that the Commission on Human Rights will keep under review the matter to which the Chairman's statement refers;

4. Decides to continue the consideration of this question at its fifty-third session.

DRAFT RESOLUTION XVII

Situation of human rights in Cambodia

The General Assembly,

Guided by the purposes and principles embodied in the Charter of the United Nations, the Universal Declaration of Human Rights[86] and the International Covenants on Human Rights,[87]

Taking note of the Agreement on a Comprehensive Political Settlement of the Cambodia Conflict, signed in Paris on 23 October 1991,[88] including part III thereof, relating to human rights,

Recalling Commission on Human Rights resolution 1997/49 of 11 April 1997,[89] General Assembly resolution 51/98 of 12 December 1996 and previous relevant resolutions, including Commission on Human Rights resolution 1993/6 of 19 February 1993,[90] in which the Commission recommended the appointment of a special representative for human rights in Cambodia, and the subsequent appointment by the Secretary-General of a special representative,

Recognizing that the tragic history of Cambodia requires special measures to assure the promotion and protection of the human rights of all people in Cambodia and the non-return to the policies and practices of the past, as stipulated in the Agreement signed in Paris on 23 October 1991,

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[86] Resolution 217 A (III).

[87] Resolution 2200 A (XXI), annex.

[88] A/46/608-S/23177, annex; see Official Records of the Security Council, Forty-sixth Year, Supplement for October, November and December 1991, document S/23177.

[89] See Official Records of the Economic and Social Council, 1997, Supplement No. 3 (E/1997/23), chap. II, sect. A.

[90] Ibid., 1993, Supplement No. 3 (E/1993/23), chap. II, sect. A.

Desiring that the United Nations respond positively to assist efforts to investigate Cambodia's tragic history, including responsibility for past international crimes, such as acts of genocide and crimes against humanity,

Welcoming the continuing role of the United Nations High Commissioner for Human Rights in the promotion and protection of human rights in Cambodia,

1. Requests the Secretary-General, through his Special Representative for human rights in Cambodia, in collaboration with the Office in Cambodia of the United Nations High Commissioner for Human Rights, to assist the Government of Cambodia in ensuring the protection of the human rights of all people in Cambodia and to ensure adequate resources for the enhanced functioning of the operational presence in Cambodia of the Office of the United Nations High Commissioner for Human Rights and to enable the Special Representative to continue to fulfil his tasks expeditiously;

2. Welcomes the report of the Secretary-General concerning the role of the Office of the United Nations High Commissioner for Human Rights in assisting the Government and people of Cambodia in the promotion and protection of human rights,[91] and encourages the Government of Cambodia to continue to cooperate with the Office;

3. Takes note with appreciation of the report of the Special Representative on the situation of human rights in Cambodia,[92] in particular his concerns for a legislative framework for the forthcoming national elections, and concerns about the problem of impunity, the independence of the judiciary and the establishment of the rule of law, the use of torture, the administration of prisons and the ill-treatment of prisoners, and child prostitution and trafficking;

4. Notes with concern the lack of response by the Government of Cambodia to several of the recommendations contained in the Special Representative's previous reports and urges that it respond as soon as possible;

5. Expresses grave concern about numerous instances of violations of human rights, including extrajudicial executions, torture, including rape, illegal arrest and detention, as detailed in the reports of the Special Representative and his predecessor, and calls upon the Government of Cambodia to prosecute, in accordance with due process of the law and international standards relating to human rights, all those who have perpetrated human rights violations;

6. Also expresses grave concern about the serious violations of human rights during the armed violence of early July 1997 and its aftermath, as reported by the Special Representative and by the Office in Cambodia of the United Nations High Commissioner for Human Rights in its memorandum on summary executions, torture and missing persons, and urges the Government of Cambodia as

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[91] A/52/489, sect. III.

[92] E/CN.4/1997/85.

a high priority to investigate thoroughly and impartially and to bring to justice those responsible for such serious crimes;

7. Notes that the perpetrators of the violence in Phnom Penh on 30 March 1997 against a peaceful and lawful opposition rally exercising its democratic rights and which resulted in numerous deaths and injuries have not been identified and brought to justice and urges the Government of Cambodia to take action;

8. Notes with serious concern the Special Representative's comments about corrupt practices within the judicial system and in the prison administration, and strongly urges the Government of Cambodia to address the problem of corrupt practices and to increase its efforts to create a functioning and impartial system of justice, including convening the Supreme Council of Magistracy, to institute a system to guarantee the essential sustenance of prisoners and to continue its efforts to improve the physical environment of prisons;

9. Stresses that addressing the continuing problem of impunity, as detailed by the Special Representative, including the repeal of article 51 of the 1994 Law on Civil Servants and bringing to justice those responsible for human rights violations, together with ensuring security of persons and rights of association, assembly and expression, is a matter of critical and urgent priority and essential to the creation of an atmosphere conducive to the holding of free, fair and credible elections;

10. Notes that national elections are scheduled to be held in May 1998 and strongly urges the Government of Cambodia to promote and uphold the effective functioning of multi-party democracy, including the right to form political parties, stand for election, take part freely in a representative Government, freedom of expression as well as the right to information, in accordance with the principles set out in paragraphs 2 and 4 of annex 5 to the Agreement signed in Paris on 23 October 1991;

11. Expresses support for the Secretary-General's efforts in Cambodia, including the role of United Nations offices in monitoring the return of political leaders currently outside the country and their unfettered resumption of political activity, and requests the Secretary-General to continue to consider any request from the Government of Cambodia for assistance with the holding of the elections, including coordination and monitoring;

12. Welcomes the proposed measures outlined by the Government of Cambodia in its comments[93] on the report of the Secretary-General to the General Assembly at its fifty-first session[94] to ensure that the forthcoming national elections are free and fair, and the assurances given by the Cambodian leaders to the Secretary-General stating their commitment to holding elections and to guaranteeing the security and safety of all returning political leaders, as well

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[93] A/51/453/Add.1.

[94] A/51/453.

as their full resumption of political activities, and expresses the hope that this will facilitate the return of political leaders from abroad;

13. Emphasizes the need for the legislative framework for the elections, in accordance with established international standards, to be agreed upon and adopted by the National Assembly, for the security forces to remain neutral during the election campaign, for free and equal access to the electronic and print media, for the individual vote to be confidential, for full cooperation to be given to local and international observers, and for all parties to act in a constructive manner and to accept the outcome of the elections;

14. Strongly encourages the Government of Cambodia to establish an independent body to supervise the holding of the elections, to ensure that the elections are free, fair and credible, and to ensure that the Constitutional Council will be convened in order to resolve election disputes;

15. Endorses the comments of the Special Representative that the most serious human rights violations in Cambodia in recent history have been committed by the Khmer Rouge and that their crimes, including the taking and killing of hostages, have continued to the present, and notes with concern that no Khmer Rouge leader has been brought to account for his crimes;

16. Requests the Secretary-General to examine the request by the Cambodian authorities for assistance in responding to past serious violations of Cambodian and international law, including the possibility of the appointment, by the Secretary-General, of a group of experts to evaluate the existing evidence and propose further measures, as a means of bringing about national reconciliation, strengthening democracy and addressing the issue of individual accountability;

17. Urges the Government of Cambodia to take concrete action to combat child prostitution and trafficking and, in this connection, to work with the Office in Cambodia of the United Nations High Commissioner for Human Rights, the United Nations Children's Fund and non-governmental organizations to develop an action plan;

18. Welcomes the signature in May 1997 of a memorandum of understanding between the International Labour Organization and the Government of Cambodia to formalize areas of cooperation in the field of child labour;

19. Encourages the Government of Cambodia to include Cambodian human rights non-governmental organizations in the rehabilitation and reconstruction of Cambodia and recommends that their skills be drawn upon to assist in ensuring that forthcoming elections are free, fair and credible;

20. Also encourages the Government of Cambodia to request the Office of the United Nations High Commissioner for Human Rights to provide advice and technical assistance with respect to the creation of an independent national institution for the promotion and protection of human rights, and looks forward to the establishment of such an institution;

21. Notes with appreciation the use by the Secretary-General of the United Nations Trust Fund for a Human Rights Education Programme in Cambodia to finance

the programme of activities of the Office in Cambodia of the United Nations High Commissioner for Human Rights as defined in resolutions of the General Assembly and the Commission on Human Rights, and invites Governments, intergovernmental and non-governmental organizations, foundations and individuals to consider contributing funds to the Trust Fund;

22. Expresses grave concern at the devastating consequences and destabilizing effects of the use of anti-personnel landmines on Cambodian society, encourages the Government of Cambodia to continue its support and efforts for the removal of these mines, and urges the Government of Cambodia to give priority to banning all anti-personnel landmines;

23. Requests the Secretary-General to report to the General Assembly at its fifty-third session on the role of the Office of the United Nations High Commissioner for Human Rights in assisting the Government and the people of Cambodia in the promotion and protection of human rights and on the recommendations made by the Special Representative on matters within his mandate;

24. Decides to continue its consideration of the situation of human rights in Cambodia at its fifty-third session.

DRAFT RESOLUTION XVIII

Right to development

The General Assembly,

Reaffirming the Declaration on the Right to Development,[95] which it proclaimed at its forty-first session, and noting that the Declaration represents a landmark and meaningful instrument for countries and people worldwide;

Reaffirming also the commitment contained in the Charter of the United Nations to promote social progress and better standards of life in larger freedom,

Recalling its previous resolutions and those of the Commission on Human Rights relating to the right to development,

Also recalling the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights on 25 June 1993,[96] which reaffirms the right to development as a universal and inalienable right and an integral part of fundamental human rights and reaffirms that the human person is the central subject of development,

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[95] Resolution 41/128, annex.

[96] A/CONF.157/24 (Part I), chap. III.

Emphasizing that development-oriented approaches to the promotion of human rights, as expressed by the Declaration on the Right to Development, constitute an important contribution to the development and strengthening of alternative approaches to the promotion and protection of all human rights,

Recalling that in order to promote development equal attention and urgent consideration should be given to the implementation, promotion and protection of civil, political, economic, social and cultural rights, and recognizing that all human rights are universal, indivisible, interdependent and interrelated, and that the universality, objectivity, impartiality and non-selectivity of the consideration of human rights issues must be ensured,

Also recalling that democracy, respect for all human rights and fundamental freedoms, including the right to development, transparent and accountable governance in all sectors of society, as well as effective participation by civil society, are an essential part of the necessary foundations for the realization of social and people-centred sustainable development,

Further recalling the principles proclaimed in the Rio Declaration on Environment and Development of 14 June 1992,[97] and noting the deliberations of the General Assembly at its nineteenth special session,

Acknowledging that, in this regard, a number of positive results have been achieved, but deeply concerned that the overall trends with respect to sustainable development are worse today than they were in 1992,

Mindful that the Commission on Human Rights continues to consider this matter, and that the second session of the Intergovernmental Group of Experts established by the Commission on Human Rights to elaborate a strategy for the implementation and promotion of the right to development, as set forth in the Declaration on the Right to Development, in its integrated and multidimensional aspects, was held at Geneva from 29 September to 10 October 1997, with a view to further enhancement and implementation of the right to development,

Noting the need for improved coordination and cooperation throughout the United Nations system for a more effective promotion and realization of the right to development,

Recognizing that the Office of the United Nations High Commissioner for Human Rights has an important role to play in the promotion, protection and realization of the right to development, including to seek enhanced support from the relevant bodies of the United Nations system for this purpose,

Reaffirming that lasting progress towards the implementation of the right to development requires effective development policies at the national level, as

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[97] Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992, vol. I, Resolutions Adopted by the Conference (United Nations publication, Sales No. E.93.I.8 and corrigenda), resolution 1, annex I.

well as equitable economic relations and a favourable economic environment at the international level,

Also recognizing that the implementation of the Declaration on the Right to Development requires effective development policies and support at the international level through the effective contribution of States, organs and organizations of the United Nations system and non-governmental organizations active in this field,

Expressing its concern at the lack of participation of developing countries in the decision-making process at the global level on macroeconomic policy issues, with far-reaching impacts on the world economy and with negative implications for the exercise of the right to development in developing countries,

Reaffirming the need for action by all States at the national and international levels to realize all human rights, and the need for relevant evaluation mechanisms to ensure the promotion, encouragement and reinforcement of the principles contained in the Declaration on the Right to Development,

Also reaffirming that all States should promote the establishment, maintenance and strengthening of international peace and security and, to that end, should do their utmost to achieve general and complete disarmament under effective international control and to ensure that the resources released by effective disarmament measures are used for comprehensive development, in particular that of developing countries,

Noting that aspects of the Programme of Action of the International Conference on Population and Development, adopted by the Conference on 13 September 1994,[98] the Copenhagen Declaration on Social Development and the Programme of Action of the World Summit for Social Development, adopted by the Summit on 12 March 1995,[99] the Beijing Declaration and the Platform for Action, adopted by the Fourth World Conference on Women on 15 September 1995,[100] and the Istanbul Declaration on Human Settlements and Habitat Agenda, adopted by the United Nations Conference on Human Settlements (Habitat II) at Istanbul on 14 June 1996,[101] are relevant to the universal realization of the right to development, within the context of promoting and protecting all human rights,

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[98] Report of the International Conference on Population and Development, Cairo, 5-13 September 1994 (United Nations publication, Sales No. E.95.XIII.18), chap. I, resolution 1, annex.

[99] Report of the World Summit for Social Development, Copenhagen, 6-12 March 1995 (United Nations publication, Sales No. E.96.IV.8), chap. I, resolution 1, annexes I and II.

[100] Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995 (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

[101] A/CONF.165/14, chap. I, resolution 1, annexes I and II.

Affirming the need to apply a gender perspective in the implementation of the right to development, inter alia, by ensuring that women play an active role in the development process,

Expressing concern that, more than ten years after the adoption of the Declaration on the Right to Development, obstacles to the realization of the right to development still persist at both the national and international levels, and that new obstacles have emerged to the rights stated thereto, including, inter alia, the negative effects of globalization on the right to development, particularly in developing countries,

Expressing further concern that the Declaration on the Right to Development is insufficiently disseminated and should be taken into account, as appropriate, in bilateral and multilateral cooperation programmes, national development strategies, and policies and activities of international organizations,

Having considered the note by the Secretary-General on the right to development,[102] prepared pursuant to General Assembly resolution 51/99 of 12 December 1996,

1. Takes note of the note by the Secretary-General;[102]

2. Reaffirms the importance of the right to development for every human person and all peoples in all countries, in particular the developing countries, as an integral part of fundamental human rights as well as the potential contribution its realization could make to the full enjoyment of human rights and fundamental freedoms;

3. Recognizes that the Declaration on the Right to Development[95] constitutes an integral link between the Universal Declaration of Human Rights[103] and the Vienna Declaration and Programme of Action[96] through its elaboration of a holistic vision integrating economic, social and cultural rights with civil and political rights;

4. Reiterates its commitment to implementing the results of the World Conference on Human Rights, which reaffirms that all human rights are universal, indivisible, interdependent and interrelated, and that democracy, development, and respect for human rights and fundamental freedoms are interdependent and mutually reinforcing;

5. Also reiterates that lasting progress towards the implementation of the right to development requires effective development policies at the national level, as well as equitable economic environment at the international level;

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[102] A/52/473.

[103] Resolution 217 A (III).

6. Reaffirms the need for States to cooperate with a view to promoting, encouraging and strengthening universal respect for and observance of all human rights and fundamental freedoms for all, without any distinction as to race, sex, language or religion;

7. Stresses that human rights should not be used as an instrument of trade protectionism;

8. Takes note of the importance given to human rights by the Secretary-General in his measures and proposals for the reform of the United Nations,[104] and urges him to give high priority to the promotion and realization of the right to development;

9. Calls upon the Commission on Human Rights to consider carefully the report of the second session of the Intergovernmental Group of Experts to elaborate a strategy for the implementation and promotion of the right to development, as set forth in the Declaration on the Right to Development, in its integrated and multidimensional aspects,[105] bearing in mind the conclusions of the Working Group on the Right to Development established by the Commission on Human Rights in its resolution 1993/22 of 4 March 1993, and the conclusions of the World Conference on Human Rights and of the United Nations Conference on Environment and Development, the International Conference on Population and Development, the World Summit for Social Development, the Fourth World Conference on Women and the United Nations Conference on Human Settlements (Habitat II);

10. Notes the efforts made by the United Nations High Commissioner for Human Rights within her mandate, and encourages her to continue the coordination of various activities with regard to the implementation of the right to development;

11. Notes also that measures taken for the promotion and realization of the right to development should be more effective, and calls upon the United Nations High Commissioner for Human Rights to explore further ways and means to achieve this objective;

12. Requests the United Nations High Commissioner for Human Rights, within her mandate, to continue to take steps for the promotion, protection and realization of the right to development by, inter alia, drawing on the expertise of the funds, programmes and specialized agencies of the United Nations system related to the field of development;

13. Requests the Secretary-General to inform the Commission on Human Rights at its fifty-fourth session and the General Assembly at its fifty-third session of the activities of the organizations, funds, programmes and specialized agencies of the United Nations system for the implementation of the

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[104] See A/52/303.

[105] E/CN.4/1998/29.

Declaration on the Right to Development, as well as obstacles identified by them to the realization of the right to development;

14. Calls upon all Member States to make further concrete efforts at the national and international levels to remove the obstacles to the realization of the right to development;

15. Calls upon the Commission on Human Rights to continue to make proposals to the General Assembly, through the Economic and Social Council, on the future course of action on the question, in particular on practical measures for the implementation and enhancement of the Declaration on the Right to Development, including comprehensive and effective measures to eliminate obstacles to its implementation, taking into account the conclusions and recommendations of the Global Consultation on the Realization of the Right to Development as a Human Right, the reports of the Working Group on the Right to Development and the report of the Intergovernmental Group of Experts to elaborate a strategy for the implementation and promotion of the right to development;

16. Notes that the fiftieth anniversary of the Universal Declaration of Human Rights is an ideal occasion for the international community to assess the progress achieved in:

(a) Realizing freedom from fear and freedom from want as the highest aspiration of the common people;

(b) Promoting the advent of a world where the inherent dignity of all members of the human family is recognized;

17. Affirms in the above regard that the inclusion of the Declaration on the Right to Development in the International Bill of Human Rights would be an appropriate means of celebrating the fiftieth anniversary of the Universal Declaration of Human Rights;

18. Encourages all States to address, within the declarations and programmes of action adopted by the relevant international conferences convened by the United Nations, the elements for the promotion and protection of the principles of the right to development as set out in the Declaration on the Right to Development;

19. Requests the Secretary-General to submit a report on the implementation of the present resolution to the General Assembly at its fifty-third session;

20. Decides to consider this question at its fifty-third session under the sub-item entitled "Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms".

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63. The Third Committee also recommends to the General Assembly the adoption of the following draft decision:

Award of human rights prizes in 1998

The General Assembly, on the recommendation of the Third Committee, considering that 1998 will mark the fiftieth anniversary of the Universal Declaration of Human Rights,[106] bearing in mind the need to promote universal observance and enjoyment of human rights and recalling its resolution 2217 (XXI) of 19 December 1966, in which it approved the awarding of prizes in the field of human rights, decides to request the Secretary-General to make the necessary arrangements for the awarding of human rights prizes in 1998, as envisaged in recommendation C of the annex to resolution 2217 A (XXI).

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[106] Resolution 217 A (III).